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**THE UNIVERSITY
of EDINBURGH**

Moray House School of Education

*Exploring Students' and Teachers' Perceptions about Engaging
in a New Law Programme Taught in English in an Italian University*

Doctor of Education

Isabel Alice Walbaum Robinson (0571268)

2015

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Declaration

I hereby declare that the Doctor of Education thesis entitled *Exploring Students' and Teachers' Perceptions about Engaging in a New Law Programme Taught in English in an Italian University* has been composed entirely by me. This thesis contains no material that has been submitted previously, in part or whole, for any academic degree or diploma.

Isabel Alice Walbaum Robinson

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In line with the international nature of this study, the data collection, processing and writing of the thesis have enhanced my knowledge and expanded my professional horizons. This has taken me to many European Union cities from Rome to Edinburgh, Barcelona, Cracow, Bucharest, Tartu, Budapest, Ljubljana and several others. I am grateful to colleagues and hosts who have helped me in invaluable ways throughout this new and exciting journey.

ABSTRACT

This case study investigates teachers' and students' perceptions about engaging with the disciplinary and linguistic demands of a new Italian law programme, launched for the first time in academic year 2006-2007, taught entirely in English in an Italian university. The study examines students' and teachers' perceptions as they engage with teaching and learning law in English.

This is a timely international higher education case study, given present policy initiatives in the European Union (EU) towards upgrading language education in the region, and in parallel, raising Europeans' language mastery and skills from monolingual to plurilingual status by promoting and improving the conditions for the learning of at least two additional foreign languages other than the mother tongue for all citizens. The case study is far-reaching in that the present need for cutting-edge methodology in the EU calls for renewed ways of articulating the curriculum to teach subjects and foreign languages.

This study compares two new but very different pedagogical models, English as medium of instruction (EMI), the design adopted for teaching law in English at the Italian law programme, and Content and Language Integrated Learning (CLIL), a rival methodology which consists in the 'integration' of language and learning subjects within a single curriculum. Based on the data submitted, the study questions the assumption that teaching a subject *in* a foreign language at university automatically results in language learning.

Given the nature and degree of complexity of the subjects taught in the courses researched, in satisfying the university requirements for high quality teaching and learning to achieve 'high quality' learning for all, there are certain conditions which impact the learning process (e.g., teaching approaches and styles, level and use of English by teachers and students, intercultural preparedness of students to work together).

The study confidently predicts that without these pre-set design conditions, the type of teaching and learning methodology implemented in the programme examined, generalizable to other programmes, is destined to perpetuate poor quality delivery and unfulfilled educational goals.

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1. LIST OF ABBREVIATIONS

Abbreviation	Legend
ACTFL guidelines	American Council on the Teaching of Foreign Languages Guidelines
AL	Additional Language
BICS	Basic Interpersonal Communication Skills
C	Content
CAE	Cambridge Advanced Certificate
CALP	Cognitive Academic Language Proficiency
CBI	Content Based Instruction
CEC	Commission of the European Communities
CEFR	Common European Framework of Reference for Languages
CET4	Certificate of English Testing 4
CLA	Centro Linguistico d'Ateneo
CLIL	Content and Language Integrated Learning
CLIL 4Cs	CLIL 4-pillar framework: Content, Communication, Cognition, Culture
COE	Council of Europe
CRE	Confederation of EU Rectors' Conferences & Association of European Universities
CRUI	Conferenza dei Rettori delle Università Italiane (Conference of Italian University Rectors)
CEU	Council of the European Union
EAL	English as Additional Language
EALP	English for Academic Legal Purposes
EAP	English for Academic Purposes
EBP	English for Business Purposes
EC	European Community
ECJ	European Court of Justice
ECTS	European Credit Transfer and Accumulation System
EESC	European Economic and Social Committee
EFL	English as a Foreign Language
ELP	English for Legal Purposes
EMI	English as Medium of Instruction
EMILE	Enseignement d'une Matière par l'Intégration d'une Langue Etrangère
EMP	English for Medical Purposes
ESL	English as a Second Language
ESP	English for Specific Purposes
ETL	Enhancing Teaching-Learning/English Language Teaching
ETLQ	Enhancing Teaching-Learning Questionnaire
EU	European Union
FL	Foreign Language
FLL	Foreign Language Learning
ICLHE	Integrated Content and Language in Higher Education
INS	Italian Native Speaker

IRAC	Issue, Reasoning, Application of the law, Conclusions
IRT	Inter-rater reliability test
L	Language
L1	Language 1 (first language)
L2	Second language
LE	Legal English
LLM	Master of Laws postgraduate law degree (for non-law students)
LSP	Language for Specific Purposes
MIUR	Ministero dell'Istruzione, Università e Ricerca (Ministry of Education and Research)
MQ	Main Questionnaire
MR	A part played in the in mock trial simulation
MT	Mother Tongue
MT+2	Mother Tongue plus two
NA	Non applicable
near-NSE	near-Native Speaker of English
near-NEST	near-Native English Speaking Teacher
near-NS	near-Native Speaker
NEST	Native English Speaking Teacher
NL	Native language
non-NEST	non-Native English Speaking Teacher
NNS	non-Native Speaker
non-NSE	non-Native Speaker of English
NS	Native Speaker
PET	Preliminary English Test
PQ	Pilot Questionnaire
NVivo	A QSR International software platform for managing data
R	Researcher
R3	University of Rome Three
RDA	Regolamento Didattico d'Ateneo
S	Student
S, S1, S2...	Student, Student 1, Student 2...
SCT	Socio-cultural theory
SD	Standard deviation
SL	Second Language
SLA	Second Language Acquisition
SLL	Second Language Learning
SLR3	Studying Law at Roma Tre
T&L	Teaching and Learning
TOEFL	Test of English as a Foreign Language

2. TABLES AND FIGURES

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3. TRANSCRIPTION CONVENTIONS

Symbol	Description
(A single left bracket indicates the point of overlap onset.
)	A single right bracket indicates the point at which an utterance-part terminates vis-à-vis another.
=	Equal signs, one at the end of one line and one at the beginning of a next, indicate no 'gap' between the two lines.
(.)	A dot in parentheses indicates a tiny 'gap' within or between utterances. Longer gaps are indicated with two (..) or more dots.
::	Colons indicate prolongation of the immediately prior sound. Multiple colons indicate a more prolonged sound.
<u>Word</u>	<i>Italics</i> indicates a form of stress, via pitch and/or amplitude.
WORD	Upper case indicates especially loud sounds relative to the surrounding talk.
()	Empty parentheses indicate the transcriber's inability to hear what was said.
(())	Double parenthesis indicates the transcriber's descriptions rather than transcriptions.
[...]	Square brackets indicate omitted text. It also indicates modifications made to cited text such as capital 'I' reduced in the cited text to lower case 'I', [i]n.

Source: Kvale (2007: 96).

CHAPTER 1

INTRODUCTION

1. INTRODUCING THE CASE STUDY.

This research investigates teachers' and students' perceptions about engaging with the disciplinary and linguistic demands of a new Italian law programme, *Studying law at Roma Tre* (SLR3), launched for the first time in academic year 2006-2007, taught entirely in English at the University of Rome Three (R3). The launching of the programme is both timely and of great interest at national and European levels.

In its “detailed work programme on the follow-up of the objectives of Education and Training systems in Europe” aimed at developing the most competitive multilingual market area in the world, the Council of Europe (COE 2002: 1), set a series of objectives for improving the quality of education in Europe. COE (2002: 7) actions to raise the quality and efficacy of foreign language education were first focused on identifying “the skills that teachers and trainers should have, given their changing roles in a knowledge society” and ensuring the “the conditions which adequately support teachers and trainers as they respond to the challenges of the knowledge society” in education in general and in language education in particular. Another future objective of consequence to this case study regarding language education is the proposal that all European citizens learn at least two foreign languages besides their mother tongue (MT) (COE 2002: 14) (see Chapter 2, §5.1, §5.2).

Facts pressing in the above direction are many. The European Union (EU) already has a *lingua franca*, English, by far the dominant vehicular European language (Special Eurobarometer 386, 2012:11) for communicating with speakers of other languages. The set objective “to raise awareness of the value and opportunities of the EU linguistic diversity and encourage the removal of barriers to intercultural dialogue” reported in the Commission of the European Communities communication (CEC September 2008), has placed language as a dynamic and rapidly evolving sector of education that appears to see no limits.

Looking at the present situation in Europe shows that language education is for many neither effective nor are its effects long-lasting (COE 2002: 7; Beacco & Byram 2003: 23). For this, an alternative to traditional foreign language teaching is timely and the present moment appears as the ripe one to investigate further into methodologies that combine foreign language and content at university by researching through the experiences of participants, institutions, policy-makers and researchers.

In this study, the interest is to display and report on perceptions of experience of what is actually happening in a particular university setting, SLR3. In this setting, law courses are being taught in English to Italian and international students from Europe and around the world. It is from this study, characterized by thick descriptions (Geertz 1973), i.e., rich data collected first hand in the field from direct contact with respondents of the setting and its participants that conclusions are drawn and suggestions forwarded for methodological improvements. This is of particular importance in this rapidly developing new area of university language education to which SLR3 is a key contributor.

This chapter provides an overview of the SLR3 programme, its place within R3, the purpose of the study, research questions, design and tools, a brief summary of the literature and issues related to studying law in English as medium of instruction (EMI).

Section 2 briefly discusses the motivation that drove this researcher to study the SLR3 programme.

2. INTEREST IN THE STUDY.

I was attracted to researching SLR3 because of my interest in capturing participants' experiences about teaching and learning (T&L) an abstract, complex subject such as law in English. The opportunity to capture perceptions of the setting has proven useful for understanding the underlying effects of T&L a discipline in English and how methodology shapes language and subject. As language teacher and researcher, my interest is particularly focused on exploring my own practice by researching present and new methodologies in the field of legal English (LE) teaching at university and in the professional sector. In the latter sector, my interest is to explore best practices into ways of teaching law and language in partnerships in courses that involve legal experts and language experts working in tandem,

taking turns teaching their respective subjects with the same students in the same classroom in blended face-to-face and online settings. This is an under researched, cutting-edge area of law and language education that is timely in view of the recommendations proposed and the resources made available in recent years by the European Commission (EC) to promote and launch this kind of teaching.

Section 3 briefly discusses EU policy objectives and influences on higher education policy in Italy and R3.

3. EDUCATION POLICY AND OBJECTIVES. AN OVERVIEW.

In 1999, the Bologna Declaration pledge was signed by the European Ministers of Education of 29 countries who convened in Bologna, Italy with the objective of reforming their higher education systems. The purpose was to render them “capable of giving its citizens the necessary competences to face the challenges of the new millennium, together with an awareness of shared values and a sense of belonging to a common social and cultural space” (Bologna Declaration 1999: 1). This document marked a sea change in the way European institutions conceptualized higher education. The signatory countries’ commitment initiated the Bologna process aimed at developing a convergence of intent (as opposed to prior intentions subject to criticism such as “standardisation” or “uniformisation”) in European higher education based on “the principles of “autonomy and diversity” (Bologna Declaration: an Explanation’, Confederation of EU Rectors’ Conferences and the Association of European Universities, CRE report: February 29, 2000: 2). The rationale underlying the process

originates from the recognition that in spite of their valuable differences, European higher education systems are facing common internal and external challenges related to the growth and diversification of higher education, the employability of graduates, the shortage of skills in key areas, the expansion of private and transnational education.

The pledge committed all signatory countries to jointly develop an action plan throughout the Union to adopt

a system of easily readable and comparable degrees [...], based on two main cycles, undergraduate and graduate [...], of credits – such as in the ECTS system [...], promotion of mobility by overcoming obstacles to the effective exercise of free movement with particular attention to:

- for students, access to study and training opportunities and to related services;
- for teachers, researchers and administrative staff, recognition and valorisation of periods spent in a European context researching, teaching and training, without prejudicing their statutory rights;
- Promotion of European co-operation in quality assurance with a view to developing comparable criteria and methodologies;
- Promotion of the necessary European dimensions in higher education, particularly with regards to curricular development, inter-institutional co-operation, mobility schemes and integrated programmes of study, training and research (CRE report: *ibid*: 3-4).

In Bortoluzzi's view (2010: 6), "the idea behind this new European education is to have a certain juridical *forma mentis*, which in Europe, should not be that different from one Member State to another." In terms of legal education, the new emerging model, Bortoluzzi argues (*ibid*: 12),

sees European legal education as a pluralist, globally-conscious legal education, which provides solid conceptual foundations for a broad-based analytical understanding of law as a cross-cultural phenomenon in a global context, and critical and analytical skills to recognize the peculiarities of law in a particular local context.

The purpose of the new model is to go beyond the American problem-solving, case analysis-based model (*ibid*: 12) that views students as active participants in education leading towards preparing lawyers to become active players in a highly competitive professional forum. Rather, the purpose of the European model, according to the author, is not only to raise students' awareness of the fact that a legal education unity is developing in Europe but also of the fact that students for the first time share

a common teaching experience, to familiarize them with a common legal vocabulary, thereby reducing the "transactional costs" of legal intercourse among lawyers and academics. This proposal goes hand-in-hand with a multilingual reality and the adoption of a common language in which the courses are taught, which presently is English (*ibid*: 18).

The next section provides an overview of EU objectives of particular relevance for national and local policy.

3.1. Italian policy.

Looking next at the Italian legal education situation, Barsotti & Varano (2010: 7) claim that whilst the *forma mentis* of the new model took 11 years to take hold

something is moving in Italy [...]. In fact there is an important trend towards the internationalization of legal education, through a variety of such programs as Erasmus programs within Europe and exchange programmes with non-European legal institutions.

At national level, the decision to render universities autonomous became law with the 1999 education reform. This was in concert with other European partners, within the framework of commitments undertaken by European countries working to build the European Higher Education and Research Area (Finnochietti & Capucci 2003: 2). Since then, “universities autonomously define the teaching rules of their degree programmes in their institutional teaching regulations (*Regolamento Didattico di Ateneo-RDA*” (ibid: 2003: 2). The RDA sets forth “the name and educational objectives of each degree programme, the general framework of the teaching activities to be included in the curriculum, the number of credits to be attributed to each teaching activity, and the modality of the final degree examination” (ibid: 2003: 2).

It is in this context that SLR3, the object of this study, was engendered and launched a few years later. The next section provides the background to the programme.

3.2. The University of Rome Three.

R3, established in 1996, is one of the three public Roman universities regulated, together with another 93 public and private universities, by the Italian Ministry of University and Research (Ministero dell’Istruzione, dell’Università e della Ricerca (MIUR). The then R3 Faculty of Law (now Department of Law with the recent Gelmini Reform, 2010) is composed of nearly 50 full and associate tenured professors, and nearly 40 lecturers. The total number of R3 students in academic year 2012-2013 was 36.000. The mission of the Department is to offer a greater selection of choices for students interested in obtaining a degree in law. Differently from the general tendency in other Italian law departments, admission to R3 is selective. The

selection process is carried out by entry examination (the maximum number of students admitted yearly at the Department of Law is 1200), from an average of 1800 applicants per year. Most students come from Rome and surrounding areas; around 20% come from other provinces and regions.

The Law Department offers two degree programmes¹ (It. Corsi di Laurea). A 3-year degree programme, Corso di Laurea Triennale in Science dei Servizi Giuridici (undergraduate) and a 5-year degree programme, Corso di Laurea Magistrale in Giurisprudenza (graduate). The 3-year degree programme is equivalent to a Bachelor's degree; the 5-year degree programme is equivalent to a Bachelor plus Master degree programme. As EU partners, R3 is involved in two types of international inter-university agreements:

- Erasmus programme. Each year, the faculty receives from abroad and sends abroad approximately 90 students. Presently, students from over twenty universities throughout Europe are enrolled in the faculty.
- Dual degree programmes. The R3 Law Department offers its students several bi-national/bi-lingual law degree programmes.

Starting academic year 2007-2008, MIUR set forth the following mandatory education objectives for undergraduate and graduate degree programmes in law departments (translation mine):

the degree curriculum must guarantee, through courses characterized by the appropriate methodologies, the acquisition of adequate knowledge of language for legal purposes in at least one foreign language.

In 2013, the Dean of the Department of Law set forth specific requirements for R3, articulated as follows (translation mine):

In regards to the ability to communicate in a foreign language, graduates must demonstrate mastery and skills in language for legal purposes in at least one foreign language, other than Italian, and must demonstrate mastery of the fundamental concepts needed to interact with experts in other disciplines.

¹ Ordine degli Studi (Study Programme) 2012/2013, Roma Tre Department of Law (2012). In regards to the 2014/2015 programme, this section has been left invaried.

The requirements regard mastery of LE or additional legal purposes languages offered in the Department.

3.3. The Studying Law at Roma Tre programme.

The idea of launching the SLR3 programme originated from the increasing international enrolment of Erasmus students from European countries in addition to several joint-degree programmes set up with European and American law schools. The goal was to launch a programme containing several law courses taught in English as the vehicle medium of instruction. The language element was an important factor to consider when making decisions about developing and launching a full scale programme. Although the purpose of exchange students is to learn law in Italian, law courses taught in English became appealing to Erasmus, dual-degree European and non-European international students.

The programme is in line with the educational reform in Europe which supports the internationalisation of the university curriculum. In Italy, this process, first initiated in those departments best equipped for the task, i.e., departments such as the R3 Department of Law which already had a number of English-speaking members of staff (teachers) available and willing to teach their subjects in English. In parallel, mobility has generated a growing interest on behalf of international students (e.g., Erasmus in Europe; dual-degree programmes within Europe and the Americas) to learn law subjects taught in English or in other languages.

The reason for the increasing interest in offering courses in a common language or *lingua franca* at R3 is that it is culturally qualifying for students' education in that it opens up new horizons, new career opportunities at national and international levels. Offering law courses in English also satisfies the move towards the internationalisation of the legal profession. Courses taught in English attract larger numbers of students internationally. Not surprisingly, and according to predictions, SLR3 has grown significantly since it was first launched in academic year 2006-2007. In its third year after launching (2008-2009), six law courses were offered in English. As an indication of the fast growing pace of the programme, the number of courses since then has tripled. In academic year 2012-2013, fourteen courses and three seminars were offered. In 2014-2015, seven courses and three seminars are offered

in the first semester and seven courses and one seminar in the second. The programme now gives students a greater variety of law courses from which to choose.

A brief summary of SLR3 objectives, stated in the department website, are: a) to offer students from R3, other Italian universities as well as international students, the opportunity to learn law in English as additional language (EAL); b) to offer the opportunity to teach and learn in a worldwide language and to become familiar with the so called “pragmatic approach to law education,” by which is meant, a completely different way of teaching subject matter that involves learner engagement; and, c) enhanced job prospects for students in their home countries and abroad (mobility). SLR3 also has broader goals related to: d) economic benefits for the institution deriving from cross-border enrollment and a greater likelihood for R3 to obtain European funding; and, e) at regional level, the opportunity to co-construct the European area of higher education as a partner institution.

As part of the internationalisation agenda, the language requirement for law students in R3 is to attend at least one course in a foreign language. R3 offers two language courses at the Department of Law, Legal English and Legal German. In SLR3, in addition to the English courses, described in the website as “a comprehensive programme taught entirely in English for 4th and 5th year students,” the programme also includes one law course in French (*Droit français des contracts*) and one in Spanish (*Derecho ibero-americano*).

With the exception of R3, Italian universities that offer courses in foreign languages limit their international offering to a reduced number of disciplines which lend themselves to ‘internationalisation.’ SLR3’s merit lies in successfully obtaining MIUR certification to develop a law programme taught in English, French (1 course) and Spanish (1 course) and subsequently to align the programme to offers in other European universities based on principles and objectives stated in The Bologna Declaration.

As co-participant in the EU project for the internationalisation of education, R3 is committed together with other European universities in what is known today as one of the world’s most ambitious future educational objectives, launched by the European Commission in 2012 (EC 2012: 3), i.e., giving students language competence and transversal skills. To quote the EC, the “ability to think critically, take initiative, problem solve and work collaboratively will prepare individuals for today’s varied and unpredictable career paths” necessary to develop entrepreneurial competence to access and operate in the international

forum along with creating mobility, developing collaborative research projects and exchanging knowledge and know-how in different fields.

To summarize, from a ‘perceptions analysis’ perspective, SLR3 is described as a programme in which subjects are taught in a second language (L2) or FL by a mixed teaching population (Chapter 3, §3.3) composed of non-Native English speaking teachers (non-NEST), near-Native English speaking teachers (near-NEST) and native English speaking teachers (NEST) to a mixed Italian/international population (Chapter 3, §3.4) characterized by local and international students from a wide spectrum of cultural, educational and language backgrounds.

This study is examined from several perspectives, providing thick descriptions of the setting and participants, enough to generalise to other higher education programmes and courses in Europe and beyond working in similar settings, with the same or similar methodology and participants.

4. PURPOSE OF THE STUDY.

This case study is a compelling, far reaching, timely, international education study, given the present policy initiatives in the EU to move from monolingual to plurilingual status for all citizens and, at national level, to provide the necessary reforms calling for a different way to articulate the curriculum to teach subject matter and foreign languages, with a view to moving beyond the knowledge ‘transmission’ designs to constructivist, ‘learning-by-doing’ designs (Barr and Tagg 2004; Schiro 2008).

The purpose of this case study is to compare two new but very different pedagogical models, English as medium of instruction (EMI), the design adopted for teaching law in English at SLR3 and Content and Language Integrated Learning (CLIL), a rival methodology which consists in the ‘integration’ of language and learning subjects in a single curriculum. Based on the data submitted in this case study, the research seeks to test initial assumptions based on participants perceptions of teaching and learning law in English as a foreign language, that given the nature and degree of complexity of the subjects taught, in satisfying the university requirements for high quality teaching and learning, to achieve ‘high quality’ learning for all, there are certain conditions which impact the quality of the learning process (e.g., teaching approaches and styles, level and use of English by teachers and students,

intercultural preparedness of students to work together). The study seeks to confidently predict that without these key conditions, the SLR3 approach is not appropriate for all students and any university lecturer who may have some English to teach in a department of law.

4.1. Rationale for doing research on SLR3.

International initiatives such as SLR3 attract numerous students interested in learning subjects in a foreign language at university. The language that dominates the medium of instruction scene today is by a large margin, English. There are reasons for this. In the preface to his book *English as a Global Language*, Crystal (1997: 14) captures the substance of the period:

[t]here are no precedents in human history for what happens to languages, in such circumstances of rapid change. There has never been a time when so many nations were needing to talk to each other so much. There has never been a time when so many people wished to travel to so many places. There has never been such a strain placed on the conventional resources of translating and interpreting. Never has the need for more widespread bilingualism been greater, to ease the burden placed on the professional few. And never has there been a more urgent need for a global language.

The purpose of this study is to examine the role language has in programmes in which the object of teaching-learning is a complex, abstract and cognitively demanding subject such as law. Participant perceptions describe positive and negative experiences from taking part in SLR3. What we can learn from perceptions of students and teachers and my observations in this study is *how* teachers and students are dealing with the language part of the curriculum, *how* students are coping with course demands and difficulties, *what* impact language proficiency level has on learning a difficult subject such as law in L2 and whether the approach adopted in SLR3 is appropriate for teaching law in EMI, or whether a different methodology such as CLIL is better suited to fulfill course demands. One of the dilemmas this study highlights is why simply leave the programme the way it is rather than offering both subject and English language teaching to obtain a balance between the two subjects.

The next section briefly discusses the literature review.

4.2. Literature review.

The review covers three fields, Language for Specific Purposes (LSP), English for Specific Purposes (ESP), and Policy. LSP (§2) consists in teaching a special type of language, i.e., language to fit purposes such as learning the technical vocabulary or the language of a discipline (e.g., medicine, law, economics, engineering). Basturkmen & Elder (2006: 672) define LSP as “the teaching and research of language in relation to the communicative needs of speakers of a second language in facing a particular workplace, academic, or professional context [...] for a limited range of communicative events.”

The section reviews the literature in two areas: the nature of disciplinary knowledge and practices (Chapter 2, §2.1) and English for Academic Legal Purposes (EALP), or the study of a specialized variety of LSP, i.e., LE in academic settings (Chapter 2, §2.2).

Section 3, ESP, focuses on teaching English for a “clearly utilitarian purpose” (Mackay & Mountford: 1978: 2) which results in focusing on a particular professional or occupational goal that requires learning “English as a means of furthering [...] specialist education or as a means of performing a social or working role ... as a scientist, technologist, technician, etc. efficiently” (ibid: 2). At the heart of ESP is the question of needs, which “implies a special *aim*. This aim may determine the precise area of language required, skills needed and the range of functions to which language is to be put” (ibid: 4). Within this field, the literature review addresses two education methodologies (§3), EMI (§3.1) and CLIL (§3.2). EMI focuses on learning a subject in a FL. CLIL goes beyond ESP needs analysis to focusing on a system aimed at fulfilling two pedagogical needs in one: teaching language and content within a single, integrated methodology.

Section 4 discusses the theoretical underpinnings of the study, focusing on five established language and learning education theories: constructivism (§4.1); socio-cultural theory (SCT) (§4.2); c) Coyle’s four Cs of CLIL (§4.3); Cummins’s BICS and CALP distinction in bilingual education (§4.4); and, Well’s dialogic inquiry (§4.5).

Section 5 examines three policy areas: the European Union dimension (§5.1); national (Italian) and local (R3) policy (§5.2); and, future policy initiatives for language education in Europe (§5.3). EU policy, in addition to principles and decisions laid down in §3 above, focuses on EU initiatives conducive towards multilingualism and the fostering of plurilingualism of EU citizens. Italian policy discusses MIUR’s recent reform and

recommendations for the implementation of English or additional language (AL) in higher education. It also examines R3 Department of Law recent policies regarding language teaching-learning for the purposes of internationalisation. The review ends with a discussion of future policies (§5.3) which place language teaching-learning at the forefront of the Lisbon Strategy aimed at developing a strong knowledge-based economy for Europe (Krzyżanowski & Wodak 2011: 115).

4.3. Gaps in knowledge identified.

The study contributes in two ways to knowledge in the areas of ESP and LSP. The research examines the grey area of EMI education, questioning university programmes that offer law courses in English (or foreign language) as medium of instruction. The study reflects on whether SLR3 should move on to a new stage of maturity. The discussion centres around the issue of whether the programme should stay the way it is or instead whether it should expand the scope of its methodology to include both subjects, law and language, in its course design. Such a transformation from EMI to a new approach also meets policy objectives regarding the implementation of a comprehensive methodology that facilitates the internationalisation process along the lines of the Bologna quality learning in higher education pledge and the MT+2 Barcelona agreement (Chapter 2, §5). For students it means capitalizing on new, transferable skills such as deep learning of a subject, L2 learning and intercultural communication competence.

Specifically, the grey area regards the consequences of teaching a university subject in English as medium of instruction without including language as a second, independent subject in its own right. This is an under researched topic that needs to be addressed in a holistic manner, as suggested by Coyle (2007: 558), along the lines of “uniting a much wider field of research” that includes “learning theories, language learning theories, intercultural and social processes,” a broader group of stakeholders and the exploration and testing of new theories. Having observed courses in which a few students understand and are able to communicate in L2 while others silently struggle to make sense of that is being taught, discussed, or simply to enter the flow of conversation, indicates that quality learning in this programme is unequally served. The point is whether a programme such as SLR3 can still expect to meet quality

education international benchmarking and in parallel, indefinitely avoid dealing with the language learning issue.

EMI courses, where teachers ‘expose’ learners to the language of instruction, but where language is not included as curriculum subject and consequently, where students are left for the most part to manage their language difficulties on their own without assistance, as a result fail to provide the necessary conditions for quality learning. In this study, a broader but critical perspective is taken in relation to the following issues. First, the role of language as key component of teaching-learning; specifically, its function as mediator of new ideas and concepts, communication, medium for accessing content and cognitive development. Second, the optimal level of proficiency required by participants to operate effectively in EMI settings to engage and respond positively to course demands. Third, the necessary implementation of teacher training for such programmes to improve language learning conditions such as to ‘socialize’ students into the linguistically and culturally complex practices of the new discipline.

In the field of LSP, in particular, EALP, the data from the study indicate that teaching which involves dialogic interaction (learning through communication in which learners learn from each other), has implications for learning subject matter and creating new language, requiring something more than merely engaging in foreign language ‘using’ (*medium* but not *object* of instruction). This is particularly so in legal studies where the two subjects, language and the law are intricately related (Mellinkoff 1963, Danet 1980, Bhatia 2004). Building new knowledge of the law *by* ‘using’ language requires in addition to content knowledge, also linguistic competence of the type needed to learn the subject-topics (Chapter 2, §4.3). The dilemma lies in managing courses where visible foreign language proficiency differences exist among students. The gap in knowledge is articulated as follows: Any methodology in which a subject is taught in a foreign language at university which fails to teach language as a subject in itself under the conditions mentioned above (improving learner knowledge and proficiency in L2; teacher training), is not sustainable for all participants and is far from resonating with EU ‘internationalisation’ and MT+2 learning benchmarking.

The next section introduces the main and two subsidiary research questions.

5. RESEARCH QUESTIONS.

The case study builds on one main and two subsidiary questions.

Main:

What are students' and teachers' perceptions about the experience of engaging in a law programme taught in English at an Italian university?

Subsidiary:

What are students' perceptions about engaging in law subjects taught in English?

What are teachers' perceptions about teaching law subjects in English?

The next section discusses the design chosen for the study and the reasons for alternative options considered but not adopted.

6. RESEARCH DESIGN.

The design selected is the case study. The reason for choosing a case study over other options is that: (a) a case gives mental boundaries to the researcher - a closed system within which to operate with different paradigms. For example, quantitative (questionnaires) and qualitative methods (interviews, observations, documents); (b) data gathering in case study research is flexible enough to permit either exploration of a single programme, separate courses within a programme, an innovative programme, or a traditional programme in need of upgrading (Miles & Huberman 1994); (c) a case study facilitates comparisons of smaller units within the specific boundaries of either an institution or programme. It is possible, for instance, to study micro units within a macro unit such as different teaching approaches in different classrooms; (d) case study data gathering, as Creswell (2005: 73) suggests, focuses on obtaining in-depth knowledge and thick descriptions within defined boundaries (e.g., institution, classroom).

Yin (2009: 18) broadly defines a case study approach as an empirical inquiry that “investigates a contemporary phenomenon in depth and within its real-life context.” Moreover, case study design allows the researcher to deal technically with distinctive

situations and variables, to rely on multiple evidence sources, to establish trustworthiness (e.g. data convergence for triangulation) and to take advantage of prior theoretical propositions to guide data collection and analysis (Chapter 2, §4).

In light of the above, the present case study qualifies as a qualitative-quantitative explanatory, within-site study of four courses in a university programme oriented towards a policy of internationalisation aligned with the EU objectives stated in the Bologna 1999 pledge and in Council of Europe, Resolution 1976 (COE 1976) that set out to raise the quality of education in Europe in general and EU policies in regards to language education in particular.

Rival research design options considered were ethnography and grounded theory (Appendix 1). Ethnography, defined in Creswell (2005: 68) as a qualitative design approach that examines the behaviour, customs, “beliefs and language” of a specific, culturally-related people, was attractive. Ethnography, taken up as an inquiry method in education in the 60s to investigate the cultural organisation of classrooms, is relevant to educational settings and often used to learn about cultures and to carry out longitudinal studies. Reasons for not choosing ethnography are mainly two. First, that SLR3 research is not a longitudinal study of a specific learner (or small group of learners). Second, that the present research centres on a new programme launched by an established educational institution with the purpose of studying participant behaviour in several courses.

The second option was grounded theory, defined as a qualitative design that works inductively (from the ground up) and iteratively (from participants’ past experiences to their present situation), leading from evidence grounded on the data to the development of a theoretical explanation of participants’ shared experiences and expectations in relation to a particular condition, circumstance or problem that explains behavioural patterns and contextual circumstances (Glaser & Strauss 1967; Charmaz 2006; Corbin & Strauss 2008).

Reasons for not choosing grounded theory are mainly two. First, although the step-by-step approach is suited for smaller samples like SLR3, the majority of grounded theory investigations are, based on my knowledge, single individuals or small groups that suffer profound and often disturbing personal experiences such as the experience of dying, suicidal personalities, single mothers running a household in poverty or dealing with a handicapped or disturbed child. Second, and most importantly, searching for a theory where solid theories of teaching and learning already exist appeared impractical. The manner in which the qualitative

data in this case study has been handled indicates, however, that the case study has taken a ‘weak’ grounded theory approach (Chapter 3, §4.1.2).

7. THE COURSES.

The four courses selected for the research are classified, based on the literature (Chapter 2 §3.1), as international courses taught in EMI, i.e., courses characterized by subjects taught in a foreign language to a mixed student population from different educational, cultural, legal and language backgrounds communicating in English as the common language of instruction (see also Chapter 3, §3.2, §3.4).

7.1. Number of courses and rationale for choice.

Most of the data for this case study were gathered during academic year 2008-2009 except for three follow-up semi-formal conversations with three teachers (one in Course 3 and two in Course 2) in 2010-2011. Seven courses were offered in academic year 2008-2009, three in the autumn and three in the spring. In the former semester all three courses in the programme took part in this research. In the spring semester, only one of the three courses in the programme was included. The choice was based on the subject (international business contracts), and the curriculum in line with courses taught in the autumn, namely, Comparative law, Company law and European law. The other two spring courses, International law and Law and the humanities, were excluded for the following reasons: the former, coordinated by the department dean was taught mostly by visiting experts from around the world who took turns teaching one or two lessons each in the course of the semester. This made data gathering logistically difficult to manage because of the non-availability of teachers before and after the two lessons. The second, Law and the humanities, because the subject matter (after observing this course once) focused mainly on historical aspects of the law integrated with literature and artistic expression over the centuries, rather than with substantive law. In addition, a total of four courses from which to gather data were considered representative enough to serve the purpose of the study.

7.2. Course objectives.

A brief account of objectives published in the R3 SLR3 site at the time of data gathering are the following:

- In Course 1, students are taught company law. The course objectives, briefly summarised, are to: (a) teach basic knowledge of sources of rules in US company and corporate law; (b) teach skills in law and economics applied to company law; (c) provide tools to carry out research in US company law; (d) teach decision-making process and mechanisms used by US companies; (e) explain protections provided for the different constituencies of corporate law; and, (f) carry out a comparative perspective of US and EU company law.
- In Course 2, the subject is the comparative study of world legal systems in the private law sector. The course objectives are to: (a) teach the comparative method for a better understanding of national law through the study of foreign law; (b) develop tools whereby students may identify relevant issues of comparative law and know-how for analysis and research; (c) approach normative, jurisprudential and doctrinal sources of foreign law; and, (d) develop critical skills of analysis and interpretation in relation to comparative methodology and foreign law.
- In Course 3, the subject is international company law. The course objectives are to: (a) learn the basic concepts of international business contracts; (b) explore specialized concepts and terminology; (c) study the various international institutions that regulate world commerce; (d) understand the doctrines that influence and determine the structural context in which the law operates; (e) identify legal issues in actual and/or hypothetical (mock) court cases and arbitration; and (f) improve oral and written communication skills, specifically advocacy, legal writing and argumentation.
- In Course 4, the subject is European Union law. The course objectives are to: (a) understand the EU Judicial System through the study of the leading cases discussed in the Court of Justice and the Court of First Instance; (b) study the European Community's (EC) judicial review system, the EC protection of human rights, and the close balance between procedural Member States autonomy and

the requirement of judicial protection of EC rights; (c) learn about the impact of the EU legal order on Member States' domestic legal orders; and (d) explore the tools required to identify and analyse key EC law issues.

In the section below the question of teaching in the SLR3 programme is addressed.

8. TEACHING IN SLR3.

This section addresses the question of teaching methodology, providing supplementary data to answer the subsidiary question in §5 above, *What are teachers' perceptions about teaching law subjects in English?*

The term 'method' in language education described by Richards & Rodgers (1986: 153) is useful in that it specifies within its description of method, three component parts: *approach, design, procedure*. According to the authors, "[a]pproach is a theory of language and of language learning. Design is a definition of linguistic content, a specification for the selection and organization of content, and a description of the role of teacher, learner, and teaching materials. Procedure is concerned with techniques and practices in a method." In this study, taking the definition of Richards & Rodgers into consideration, a broader definition will be adopted: "Teaching methodology (language teaching methodology) [is a] coherent set of principles and concepts which allow the structure of language teaching to be defined (content, materials, order of instruction, learning activities, sequence of activities etc.)" (Beacco & Byram (2007: 116).

SLR3 courses are designed to provide conditions in which to engage in communication as a foundation for learning. A key feature is that subjects are taught in English, a foreign language (in this case study to 65 out of 67 students). A recurring issue in SLR3 is *how* learners lived their experiences as students of law. This has to do with their perceptions of whether learning in EAL affects subject learning positively or negatively. Of interest is whether EMI is perceived as added value or hindrance to learning. Also whether quality participation for the co-construction and sharing of knowledge is possible through the EMI method.

Teaching requires high proficiency as well. In SLR3, teachers are responsible for selecting leading cases, i.e., cases considered exemplars of legal procedure within the history of case law. The objective is to give each student the chance to “touch” at least one case in each of the major areas. Once students are familiar with exemplar case(s) in several areas, the aim is to guide them in re-conceptualizing cases vertically and horizontally by comparing them to other (related/co-subordinate) landmark cases, in order that “differences at a subordinate level become related at the superordinate level” (Biggs & Tang 1999: 93). If methodological conditions are met, for instance, if students are interested and actively engaged in their own learning (Schiro 2008), the expectation is that content and language learning are successfully accomplished. This depends, however, on whether students are able to engage in quality discussions.

Middendorf & Pace (2004) find that engagement requires establishing teaching-learning partnerships where subjects are co-elaborated, to avoid students from passively and unquestioningly *taking in* information from their teachers. Group tasks require careful planning. An engaging group task, set up in law schools to emulate ‘life in the court,’ is role-playing. Tasks of this nature are, however, challenging for students with limited language proficiency.

This section also addresses the nature of ‘content’ in the SLR3 curriculum and some of the difficulties students encounter when learning the subject in L2. There are many examples in this study where, due to limited proficiency, students participated only when directly asked to do so. This is emblematic of situations in which students find the tasks linguistically too advanced for present level of engagement. In general, the nature of legal literacies involves understanding the structure and underlying patterns running through text (e.g. structural aspects such as main and subordinate sentences) and capturing embedded arguments within it. As Howe (1990: 215) specifies,

[for] the beginner, the vocabulary and the complicated structural forms seem the great barriers to understanding, but there is another dimension. Through centuries lawyers have evolved their own ways of reasoning. As teachers of law will tell you, when students begin, not only do they have to acquire a new lexis, but also new concepts and new ways of thinking.

Teaching legal literacies activates learning skills that enable students to correlate codified concepts, principles and doctrine, shaped over the centuries by legislation, the activity of the

forum, and legal authority (Danet 1980). For law students, ‘unpacking legal literacies’ (Anderson & Hounsell 2007) entails acquiring meta-cognitive strategies that help decode substantive law and learn complex legal terminology.

To sum, engaging students in the case law method, with its complexities such as legal readings in L2 (e.g., case law judgments) for the purpose of extracting facts, legal issue(s), ground(s) for adjudication and draw conclusion from the applicable law, entails activating cognitive processes (e.g., comparing, interpreting, summarizing and hypothesizing possible case solutions) and in international settings, also prior knowledge of students’ legal traditions as they relate to cultural differences – case method design and practices in different legal traditions (Shaw & Bailey 1990; Hyland 2000).

In the next section, the language issue is briefly discussed.

9. LANGUAGE.

Students are expected to have already learnt English in their home institutions and schools prior to enrolling in SLR3. Linguistic assistance focuses mostly on the semantics and pragmatics of language, i.e., the meaning and use of legal vocabulary. In spite of EU recommendations regarding the harmonization of testing in European universities, in practice, students attending the courses in this study participated at very different English proficiency levels.

9.1. Using the EU language framework.

The Council of Europe *Common European Framework of Reference for Languages* (CEFR 2001) provides a system with useful descriptors to aid educational institutions in determining language proficiency requirements for European programmes at EU (e.g., Erasmus) and national (e.g., SLR3) levels. At SLR3, the minimum requirement to participate is the B1 (intermediate). At B1 level, a student is able to interact spontaneously and regularly without effort in English (e.g. to explain a point of view on a specific topic showing pros and cons of

various alternatives). A B1 level student is described as an independent user of the language who:

[c]an understand the main ideas of complex text on both concrete and abstract topics, including technical discussions in his/her field of specialization. Can interact with a degree of fluency and spontaneity that makes regular interaction with native speakers quite possible without strain for either party. Can produce clear, detailed text on a wide range of subjects and explain a viewpoint on a topical issue giving the advantages and disadvantages of various options. (Council of Europe 2001: 24).

Italian students are tested in their first year of law school. Throughout the five-year law school programme, students also have access to language courses (on-line and classrooms) at the University Language Centre. Cross-border, university mobility programmes (Erasmus) set the minimum language requirement at CEFR (2001) A2, i.e., low intermediate in the country in which the students is attending which in this case study is Italian. International students attending SLR3 courses were, therefore, not tested in Rome but in their home institutions. This meant their 'real' level of English could not be placed beforehand. My observations indicate that in all four courses there were students with proficiency levels ranging from A2 to C2 (advanced plus).

The expectation at SLR3 is that enrolees be linguistically autonomous, i.e., capable of studying abstract context-reduced academic subject-topics in English with ease even with limited language support. At the time of data collection for this study, the Department of Law had not set an official minimum English proficiency requirement for SLR3 participants.

9.2. Levels of English.

Participant's level of proficiency in this case study were calculated taking the CEFR 2001 framework as reference along with data from this study and researcher expertise as follows:

- (a) interviewees' language background and experiences (e.g. interview questions 2, 4, 5) (Appendix 2);
- (b) interviewees' listening comprehension, speaking ability, knowledge and use of legal vocabulary and grammar;

- (c) the researcher's professional experience in orally assessing student's level of English;
- (d) the researcher's professional activity as LE teacher at R3 and professional teaching at the Italian High Council of the Judiciary, the Italian National Lawyers' Association and the Italian National School for Public Administration.

Using the assessment parameters laid down above, the data served to assess the level of proficiency of 34 interviewees and to classifying them into five distinct English proficiency groups (Chapter 4, §3). The level of proficiency of the 34 interviewees' were: 1 NS, 1 bilingual (English/Maltese), 3 Advanced plus, 11 Advanced, 7 Intermediate plus, 4 Intermediate, 7 Low Intermediate.

9.3. The role of language in SLR3.

The place of English in SLR3 courses, as mentioned above, at the time of data collection was that of *medium* of instruction. Candidate selection even today, in spite of the central role of language in this programme, is far from perfect and level differences still exist. More recently, a selective process is underway, perfected in years subsequent to data gathering for this case, to ensure that students' proficiency are based on 'real' rather than 'certified' proficiency levels.

The next section illustrates the contents of this six-chapter thesis.

10. DISSERTATION MAP.

In Chapter 1, I introduce the SLR3 programme, specifying my interest in the study, its policy scope, purpose and contributions, main and subsidiary research questions, course design and alternative options considered and the courses. The chapter also includes a synopsis of teaching, the part language has in SLR3 and the literature review.

In Chapter 2, I review the literature in two fields. LSP from the perspective of discipline and law practice and EALP. ESP and the comparison of two methodologies, EMI

and CLIL. The chapter also addresses five study-related language-learning theoretical strands. It ends with a discussion of policy at European, Italian and R3 levels along with future directions for language education in Europe.

In Chapter 3, I present the methodology used in this case study. It includes steps taken to secure project trustworthiness followed by data on a pilot project to test the three research tools along with main study sampling, research tools, data analysis and case study limitations.

In Chapter 4, students are classified into five groups according to level of proficiency. The chapter compares students' language backgrounds and perceptions of experience in five LE study-relevant topics: *vocabulary*, *listening*, *reading*, *interacting* and *presenting*. The chapter ends with a discussion of results obtained from quantitative-qualitative comparisons in five proficiency groups.

In Chapter 5, perceptions of experience from students and teachers are compared in reference to LE and T&L in four SLR3 courses. The chapter ends with a discussion of comparative quantitative-qualitative results in the two themes, LE and T&L.

In Chapter 6, data interpretation and findings regarding participation at different proficiency levels and T&L in four courses are discussed. The chapter also addresses reasons for and implications of findings. The final section, Conclusion, specifies contributions of the study and applicability of the case along with personal and professional implications for the researcher derived from doing the research. The chapter ends with a discussion of new issues for future research in the fields of study investigated.

CHAPTER 2

LITERATURE REVIEW

1. INTRODUCTION.

This chapter is subdivided into four areas relevant to this case study: Language for Specific Purposes (LSP) (§2), English for Specific Purposes (ESP) (§3), Language and Learning theoretical strands (§4) and Policy (§5).

LSP (§2), the field of study that deals with the nature and characteristics of specific language genres serving special educational needs and purposes includes two sections: Disciplinary knowledge and practice (§2.1) and EALP (§2.2) a specialized area of LSP that focuses on LE in higher education. ESP (§3) is the field of study that deals with the learning of “any language, to any level, provided that the learning of the foreign language takes place after the acquisition of the first language” (Mitchell & Myers 1998: 5).

The ESP section is subdivided into English as Medium of Instruction (EMI) (§3.1) and CLIL (§3.2). Section 4 addresses five language and/or learning theoretical strands. Constructivism (§4.1), a theory of education that views knowledge as a personal creation of individuals who engage in learning by interacting with their environment (e. g. Bruner 1960, 1985, 1996). Socio-cultural theory (SCT) (§4.2), a theory of general and Second Language Learning (SLL) which claims that the basis of learning is interaction which takes place between an expert and a novice (e.g., a teacher and a learner). Coyle’s CLIL 4Cs theory (§4.3), a bilingual education theoretical framework for teaching content and languages based on a symbiotic relationship among four foundational pillars, *content*, *cognition*, *language* and *culture*. Cummins’s landmark distinction between two types of language proficiencies, BICS and CALP (§4.4). Finally, Well’s dialogic inquiry (§4.5), a theory that focuses on developing curricula that recognize the central role of interaction in the ‘co-construction’ of learning. Section (§5) discusses policy at EU (§5.1) and Italian/R3 (§5.2) levels. The section ends with a discussion of new directions for language and content education (§5.3).

2. LANGUAGE FOR SPECIFIC PURPOSES (LSP).

LSP is defined as “teaching and research of language in relation to the communicative needs of speakers of a second language in facing a particular workplace, academic, or professional context” (Basturkmen & Elder 2006: 672). Key features of LSP education are needs analysis and the reduced choice of language for use in specific contexts (ibid: 674). Work on language use is limited to a narrower (and more focused) choice of speech acts, discourse and lexical repertoire. In other words, the vocabulary used by the language learner is restricted to specific technical terms, for use in academic or professional settings. In addition, the curriculum in LSP is designed to limit the options to specific target activities. In these courses participants’ interests tend to be homogenous, i.e., related to a community of interest and the materials and resources are produced specifically for the teaching of subject-topics of interest, e.g., the teaching of law at university. This limits the range of discourse and communicative events to more focused, specific literacies. Discourse in LSP is restricted to specific genres including specialized rhetorical devices, presentation forms and oral communication.

Within LSP, two topics are discussed: the nature of disciplinary knowledge and practices (§2.1) and LSP as it pertains to the legal genre (§2.2).

2.1. Disciplinary knowledge and practices.

For King & Brownell (1966), a discipline is a defined area of study; a body of facts, publications or presentations of work done by its members. A discipline develops its own specialized language that changes as new concepts of inquiry set aside the old. The use of a large set of technical terms, the lexicon of a discipline, “becomes an intellectual shorthand which simplifies communication between those who know the new terms, including their full scholarly connotation and assumptions” (ibid: 64-65). The term ‘discipline’ does not identify fields of knowledge in its description. A discipline involves communities of persons that engage in a shared pursuit of knowledge through inquiry based on a common body of knowledge. As the authors observe “the disciplines of knowledge are not clearly described as areas of study or of knowledge, but metaphorically as communities of scholars who share a

domain of intellectual inquiry or discourse” (ibid: 67). A discipline denotes a “corps of human beings with a common intellectual commitment who make a contribution to human thought and to human affairs” (ibid: 68). The domain of a discipline is the shared focus of attention of its members, be it a natural phenomenon, a social institution, method, or other item of scholarly concern. A disciplinary community is grounded on the discourses of those who preceded them for,

each discipline has emerged from the undifferentiated field of prior human thought and proceeded to define and develop its realm, limited only by his ability to captivate human imagination, to produce viable conceptions, to gather adherents, and to marshal the acceptance and support of the university (King & Brownell 1966: 75).

More recently, Gardner & Boix-Mansilla (1999: 78) claim that “scholarly disciplines represent the formidable achievements of talented human beings, toiling over the centuries, to approach and explain issues of enduring importance.” They have boundaries and are dynamic (ibid: 81). Instructing in a discipline, Bruner (1960: 72) writes, “is not a matter of getting [the student] to commit results to mind. Rather, it is to teach him to participate in the process that makes possible the establishment of knowledge.”

An area of research that has been gathering attention concerns the ways in which teaching of substantive and practical knowledge is done in higher education. Disciplinary education, Hounsell et al. (2005: 10) claim, referred to as ways of ‘thinking and practicing in the disciplines,’ explores the extent to which teaching-learning processes and practices depend on the consolidated work done in different disciplines or subject areas. Generalizations drawn by Hounsell et al. (ibid: 10) from this study entitled *Enhancing teaching-learning environments in undergraduate courses* (ETL project), with the scope of examining several disciplines, confirms the similarities among disciplines claimed by King and Brownell (1966) such as a shared corpus of disciplinary knowledge, teaching pedagogy and theory-based inquiry. The pervasiveness of disciplinary teaching methods highlighted by Shulman (1999: 58) embodies “the culture of learning” typical of the discipline, viewed through the lens of prevailing concepts, discourse patterns and technical terms of the knowledge area.

T&L research examines the extent to which pedagogy depends on ways in which a particular discipline approaches its subjects and how subjects shape students’ experiences and perceptions of the knowledge area. Shulman (1999: 52) refers to this as “signature

pedagogies” which he defines as “types of teaching that organize the fundamental ways in which future practitioners are educated for their new professions” and the dimensions of professional work that the novice is prepared to embody which include “to *think*, to *perform* and to *act with integrity*.” For Shulman (ibid: 71-72), reasoning as a pedagogical act “involves transforming the body of knowledge of a discipline into teaching units more suitable for teaching, educational goals, adaptation.”

The nature of law and legal education as genre are discussed in §2.2 below.

2.2. LSP and the legal discipline.

In the past 60 years LSP has developed a number of sub-specializations. Two of the most developed are English for Medical Purposes (EMP) and English for Business Purposes (EBP). English for Legal Purposes (ELP) and in higher education, EALP, was a relatively unknown area of LSP up to the 1980s (Bhatia 1983). Since then, however, principally because of the importance language has for law students at university as well as in the profession, EALP has steadily gained currency as subject and medium through which law subjects are taught.

EALP consists in the T&L of vocabulary, often mentioned in legal studies as an important building block in the construction of meaning, interpreting statutes and other sources of primary and secondary law and, of relevance here, learning to use and apply the language of the legal discipline. A shared view is that the language of the law is particularly complex, difficult to process, abstract (Mellinkoff 1963; Bhatia 1989; 1994, 2004; Maley 1994; Tiersma 1994). In addition, Hager (1960: 74; cited in 1972: 314) claims

by virtue of its unique structure, English is not entirely adequate for [judges, legislators, lawyers] purposes, and so they create a superposed variation or argot. Although legal terms often sound like ordinary English, their meaning in the argot of the law may vary considerably.

Such complexity affects oral and written communication. This is further accentuated if course demands require legal literacies, interpreting court decisions and writing essays or making presentations in English. Difficulties are more frequently perceived in this way by those EALP students whose English is a FL but also by MT law students. Harris’s (1997: 289) comment is exemplar:

one problematic aspect of reading and writing for university students is their handling of references to other texts – citations, quotes, opinions [...]. For students of English law, confronted with the legal genre of case reports, this problem is central to their reading. In case reports, the substance is judicial treatment of past decisions or pieces of legislation, so that case reports are crucially about treatment of other texts, which are the law.

Moreover, the language, structure, and rhetorical devices used in the construction and publication of materials to teach and study law are very different from those used to teach economics or scientific subjects. Bhatia (2004: 34) posits that even though similarities among genres across disciplinary boundaries may exist, the differences in their use of strategies to build knowledge and explain practice are noteworthy. An example is the study of differences in argument structure and presentation/manipulation of evidence in the teaching of law and economics. In the former, claims (civil law tradition) are based on codified law, facts, legal principles and doctrine or case and statutory laws (common law tradition), as contrasted with economics, where claims are based on numerical data used for building, formulating and supporting disciplinary arguments (ibid: 35).

Hyland compared education norms in three legal traditions, Germany, France and the US. Each legal system is forged by the intricate relationship that exists between its cultural norms and its language which in turn, as Hyland (ibid: 45) argues, influences the ways in which law is taught in each one. In the author's view:

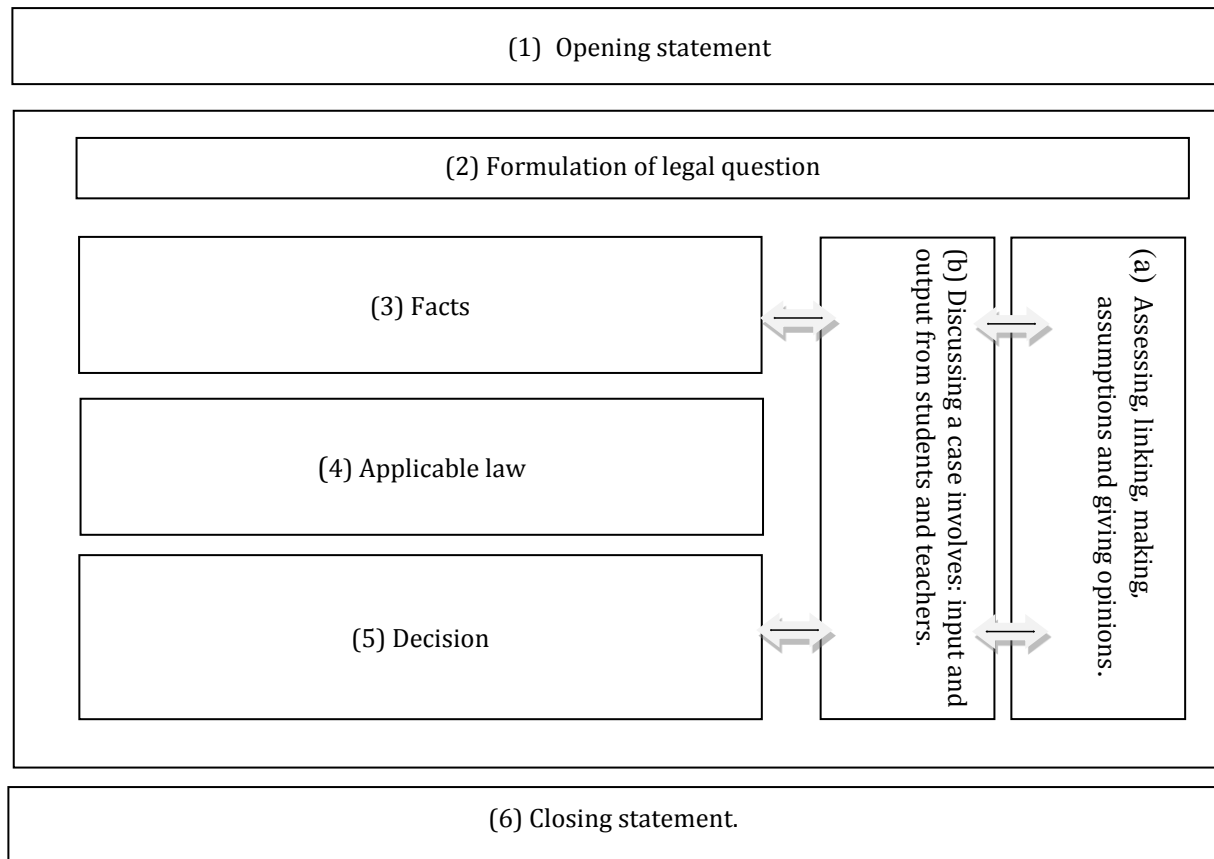
The diversity of meaning articulated in the various languages and systems of legal education suggests that every cultural tradition is distinct. Each pursues a particular goal, which it might be used her to call a *cultural project*. The project is present in the language that is spoken, in the method of legal education, in the manner in which bread is baked – in short, in every aspect of life in a particular tradition.

While taking Hyland's study into consideration, in the legal profession, however, there exist similarities in the way the case law method is approached. To exemplify, in law schools one of the principal tasks consists in reading court decisions with the purpose of finding the "*ratio decidendi*" (Latin for 'reason for the decision') of the case which is almost invariably followed by the pronouncing of a judgement. In case law analysis, Twining & Miers (1999: 335) point out, finding the ratio means for the learner that "each case has to be read in the

context of all the other potentially relevant cases and this is one factor which limits the range of possible interpretations which can be put on it.”

In case law, standard norms for case analysis with the case law method approach include the study of the court history of the case through the examination of landmark cases. Another case law task in law schools consists in the ‘briefing’ of cases, which involves training students to identify and summarize six component parts of a case and two process (a, b) as illustrated in Fig. 2.1 below. In the introductory section (1), the student identifies the case name and the parties involved. This is followed (2) by the identification of the legal question(s) and case facts (3). Next the student identifies the applicable law (4) and the analysis of the decision (5) including the rationale underpinning the decision and reference to doctrine and legal rules. The final step is the closing statement (6) that includes a summary of the legal issue(s), facts, ratio, court history of the case (indicating the sequence of events and positions of each party), followed by a verdict and sentencing (criminal law) or compensation (civil law).

Fig. 2.1. Case law method analysis.



Two supplementary processes are needed to complete the analysis. In a) the analyst assesses the information by linking concept(s), theory, principles and doctrine and making assumptions and giving an opinion(s) of the case. In b) the analyst shares the knowledge and findings of the case in open, plenary discussions.

It is clear from the case analysis synopsis submitted above that such a challenging task, even if shared by students in SLR3 as in law schools elsewhere, requires knowledge and use of complex technical vocabulary and language.

The next section deals with ESP.

3. ENGLISH FOR SPECIFIC PURPOSES (ESP).

ESP, a branch that developed a form of specialization within the field of English as a Foreign Language (EFL) in the 1960's, has as one of its main objectives the teaching of English for students and professionals with specific language needs. The term 'language for specific purposes,' Mackay & Mountford (1978: 2) argue, is

frequently used in the literature relating to the teaching of [language] for a clearly utilitarian purpose. This purpose is usually defined with reference to some occupational requirement [...]. Language learners require English as a means of furthering their specialist education or as a means of performing a social or working role, that is, a working role as a scientist, technologist, technician [...] efficiently.

The issue of needs implies a special aim. From 'needs,' according to the authors, three aims are determined: "the precise area of language required, skills needed and the range of functions to which language is to be put" (ibid: 4).

In a 'specific purposes' orientation to needs analysis, according to Brindley (1989), a curriculum analyst's task is to emphasize the objective needs of learners, identifying where the learner needs to be directed in terms of language performance, and equally important, the "relevance of language content to learners' personal goals and social roles" (ibid: 67). The rationale in the 'specific purposes orientation,' as opposed to the 'language proficiency orientation,' is centred on effectiveness. Learners learn better if the content of a course or programme is pertinent. This is measured in terms of the ability to "operate effectively in specific areas relevant to the learners' needs and interests" (ibid: 67).

To understand and fully describe the importance of ESP needs, according to Richards (2005), it is essential to look into the origins of the field. As a method of T&L language, ESP emerged in response to concrete outside world necessities. One of the most pressing was academically preparing growing numbers of students and people already in employment for university and college education in English.

One of the more recent developments to teaching language at university is EMI. The EMI approach is of interest here for it is the methodology used to teach courses in SLR3. A comparison between EMI and its rival methodology CLIL was carried out by Wannagat (2007). The author found that while both approaches seek to improve students' foreign

language proficiency by teaching subjects in English or AL, their methodologies differ in fundamental ways. The focus of EMI is on teaching subjects in the FL. In EMI, language is a ‘tool’ for teaching-learning a subject *in* the FL, generally taught in the surrounding first or native language (L1) community. In a typical lesson, students are ‘exposed’ to the language of the subject and are expected to express themselves in the FL. EMI teachers are not required to have special qualifications, nor do they need to be native speakers (NSs) of the target language. By contrast, the CLIL design differs from EMI, in that its methodology focuses on teaching an AL that is not used in the social context of the learner. Teachers are typically non-native speakers (non-NSs) of the medium language and their expertise is generally in content teaching not foreign language teaching (Dalton-Puffer et al 2010: 1). The most important difference between the two approaches, however, is that in CLIL the FL is “a subject in its own right” (Dalton-Puffer et al *ibid*: 1). The next two sections look into EMI (§3.1) and CLIL (§3.2) methodologies in greater detail.

3.1. English as medium of instruction (EMI).

The Hong Kong EMI education programme researched by Wannagat’s (2007) was set up to teach subjects in English as medium of teaching in the advent of the takeover of the Chinese government in 1999, which sought to remedy the gradual disinterest of students in perfecting their FL. The programme did not include language teaching as curricular subject separately (*ibid*: 665). No language teacher training was provided since only a few selected subjects in the curriculum were taught in English. Importantly, the author’s conclusion was that ‘language exposure’ with no explicit language teaching purposefully built into the curriculum is not sufficient for students to achieve mastery of the medium language (*ibid* 679). The author argues that because in EMI programmes some students find themselves in great difficulty expressing themselves adequately in English, this situation produces an underlying tacit acceptance among participants that tasks cannot be achieved fully in the FL with EMI (*ibid*: 679). One of the reasons for this is, according to Wannagat (*ibid*: 679), that the EMI approach tends to address language only when there is a language “problem” to deal with. This is an indication that the language teacher intervenes in an impromptu, i.e., unplanned manner and that the language or ‘L’ part of the curriculum is largely ignored as is teacher

training (Wannagat *ibid*: 679). Wannagat (*ibid*) claims this has mostly to do with the wrong assumptions institutions and teachers make about language teaching. This view resonates with Mohan & Van Naerssen (1997: 24) who signal the existence of a number of mistaken assumptions about language education, consequently suggesting that “to understand language as a medium of learning, we need to work from a different set of assumptions.” Two foundational assumptions made, according to Mohan & Van Naerssen (*ibid*) are, on one hand, that language is a matter of form and meaning and that discourse does not simply express meaning, it creates meaning. Also, that persons develop linguistically throughout their entire lives and more so throughout their “educational lives” and that parallel to acquiring new knowledge areas, persons “acquire new language areas and meaning” (*ibid*: 24).

Wannagat’s (2007) states that the strength of CLIL lies in promoting a gradual switch from L1 to L2 as it acknowledges language learning as part of the general learning process; hence, in contrast to EMI, CLIL provides a transparent and planned approach to language and content education and, in addition, it travels independently from the L1 programme (*ibid*: 665-666). Aside from language learning, CLIL also includes the systematic development of higher order thinking and cognitive processing, gives greater autonomy to the learner and qualifies teachers for teaching the subjects in an FL.

In a longitudinal university study, Evans & Morrison (2011: 206) examined the problem of how language background impacts learning in EMI instruction. The authors conclude that the impact is eased if students are previously prepared for this type of teaching because “general-purpose English language teaching by itself provides insufficient preparation for students from L1-medium schools who wish to enter English-medium higher education.” Students benefit more from first taking generic English for Academic Purposes (EAP) courses and later “discipline-specific courses” due to their lack of preparation in reading and writing for academic/disciplinary purposes. Findings showed that there are negative consequences for learning in cases where the student has insufficient knowledge of academic vocabulary. This in turn has consequences for lecture and textbook understanding along with communicating in open class discussions or presentations and essay writing.

In a different study by Lin & Morrison (2010: 263), the authors suggest that if productive learning is required (as opposed to receptive learning) in EMI classes it is necessary

to help students who lack effective productive language skills [to] bring their receptive vocabulary into productive use. This provision should incorporate activities that push learners' receptive and productive knowledge into active use, as well as those which draw attention to collocation and other constraints of academic words.

The two studies above highlight the importance of language background and teaching language, in particular the vocabulary needed to support students' communication and written competences. It also shows that the lack of a systematic plan for language teaching appears to be one of the principal problems with EMI.

Section 3.2 addresses CLIL background, higher education and research.

3.2. Content and Language Integrated Learning (CLIL).

3.2.1. Background.

The methodology's historical roots, indicative of the era but superseded by other studies, especially in higher education (Llinares et al. 2012) are traced to the period between 1980-1995 when language education-related solutions were sought by a variety of stakeholders. The purpose was to provide European students with better skills in foreign languages and with more exposure to the use of foreign languages (Marsh Report 2002: 9). In this context emerged:

a pragmatic and pro-active approach to foreign language learning across Europe to improve capacity and achieve requisite and sustainable outcomes. This approach came to be termed *Content and Language Integrated Learning* (CLIL). (Enseignement d'une Matière par l'Intégration d'une Langue Etrangère - EMILE). As an innovative competence development enabler, CLIL/EMILE rapidly became a growth field across the spectrum of European language learning delivery in mainstream education from pre-school through to vocational education through the 1990's (Marsh Report 2002: 10).

CLIL methodology is described as "dual-focused education, where attention is given to both topic and language of instruction" (Marsh 2006: 32; also Mehisto et al. 2008: 9). The language part positions CLIL as an approach in which "an additional second/foreign language is used for the teaching and learning of subjects other than the language itself" (ibid: 32). An

important unit of analysis for measuring learning effectiveness in CLIL is the integration between language and content. CLIL has been metaphorically equated to language ‘immersion,’ the argument being that “CLIL itself is one huge task which ensures the use of the foreign language for ‘authentic communication’” (Dalton-Puffer *ibid*: 3). Marsh (2006: 33) observed that even if “the CLIL ‘generic umbrella’ includes many variants” some of which focus primarily on the teaching of language, whilst others on the teaching of content, the fact that specific guidance is embedded in the CLIL methodology for the teaching of both, is in itself innovative.” It is innovative in that CLIL goes beyond traditional methods to combine both subject and language teaching, generally done separately and out of context in traditional FL teaching approaches (*ibid*: 35). But the novelty of CLIL lies not merely in the simultaneity of T&L. CLIL’s added value lies in its ‘learning by doing’ nature based on interactive, mediated, inter-subjective practices. Another advantage of the CLIL approach is that of “enabling short-term changes to take root which may be profound for education as a whole” (Coyle et al. 2010a: 161).

At university or in professional contexts such as EALP and related professional fields, CLIL enables students to access higher-order thinking and, in multicultural classrooms, to develop a sensibility towards foreign cultures. As Holme (2002: 212) contends, “knowledge of a language’s culture is thought to be essential to a full understanding of a language’s nuances of meaning.” For this, the metaphor envisioning CLIL as a ‘language bath’ (Dalton-Puffer 2007: 3), however interesting, is not appropriate in higher education. With CLIL, there is potential for programmes to not simply use a second language to learn but rather to consider shifting paradigms by moving from learning *in* a language to learning *through* language. Learning *through* language puts the learner in a completely different place in terms of content and language: it affords space for learners to create their own language and develop their own thoughts (Coyle et al. 2010a: 54).

The next section examines the potential of CLIL for university T&L.

3.2.2. CLIL. A new methodology for higher education.

The content part of CLIL at university focuses mostly on the teaching of a discipline. Sources of knowledge in higher education CLIL are diversified and “students are confronted with a

body of knowledge in a discipline, which is by and large accepted, but not unchallenged, by the members of the disciplinary community” (Wilkinson & Zegers (2008: 1). Students are also faced with “many areas where knowledge is in the process of being constructed, where there are disputes between schools of thought, and where there are differences of opinion as to where the boundaries of the discipline lie” (ibid 2008: 1). The tutor is not the single provider of knowledge (as occurs in elementary and secondary education). The student may work independently or rely on the teacher as expert to provide scaffolding through modelling (e.g., the expert goes over the steps needed to complete a given procedure in order that the learner may ‘envision’ and replicate it independently), exemplification or instruction (the expert provides quality teaching for quality learning). The student is, in any case, always highly engaged in the learning processes. The language needed to support this type of teaching in CLIL requires making particular pedagogical choices.

CLIL approaches language from a triple perspective (Coyle et al. 2010a: 36). It focuses on the language needed to learn about the subject, or “the language *of* learning” (ibid: 37). It also focuses on the language needed to function in settings in which the CLIL language is used, or “the language *for* learning” (ibid: 37). In addition, it focuses on the language needed to think about the subjects or topics and articulate concepts and principles, or “the language *through* learning” (ibid: 37). This triple language perspective entails learning the body of knowledge of the subject, explaining, analysing and elaborating it and using the language repertoire to create new ways of expressing disciplinary knowledge (ibid: 37; see §4.3 below) in the foreign language.

In a socially created space, interaction constitutes a potential source of knowledge. For instance, in an intercultural educational setting, teachers have a wealth of opportunities to access students’ background knowledge to teach cultural competence “thus inviting them into the conceptual core of a language and perhaps leading them towards the more successful manipulation of its semantic system” (Holme ibid: 222). Communicative engagement in the CLIL classroom is a key element through which the learning process is solidified. It is for this that “the risks involved with inappropriate adoption of an additional language as medium of instruction are considerable at any educational level” (Coyle et al. 2010a: 25).

The foundations for a new kind of education in Europe to achieve the successful integration of language and content, requires solid language and content planning and coordination. An important consideration, based on the data submitted in this study in relation

to choice of methodology – *medium of instruction* or *integration of content and language* –in light of the discussions made above, merits close examination. In CLIL, where the goal is to go beyond the teaching of a discipline *in* a language to teaching the language *of, for, through* a discipline, language is a key curriculum component. Llinares et al. (2012: 8) state that, “in working with content, students will encounter and have to use a whole range of the language which shapes educational knowledge.” The language used in everyday exchanges is unlike the language needed to learn a discipline in an AL. Particularly, in law education, where the interdependence of law and language is meaningful (Tiersma 1999), academic-cognitive language proficiency is not an optional or negotiable condition for the learner if the aim is to access CLIL’s full potential.

The following section discusses research in higher education CLIL.

3.2.3. CLIL research in higher education.

Even though CLIL research is “clearly at an exploratory stage in higher education in many countries” (Coyle et al. 2010a: 25), in university settings research is lively and spans a series of topics. Studies relevant to this case have compared regular content classes (at university for the teaching of a discipline) and CLIL classes. Others have explored the type of language needed to support disciplinary teaching and, along with this, the consequent pedagogical choices. Yet others have explored ways of engaging in content, cognitive processing and intercultural learning through the use of an AL. A few among many studies carried out in the past years in higher education CLIL are discussed below.

To begin, a study conducted in Italy to test students’ ‘learning curve’ in CLIL courses by Pigliapoco & Bogliolo (2009). The authors sought to find out whether “students generally achieve the same or better outcomes when studying in a second language” (ibid: 20). To test this, the authors quantified the results of students’ learning in a Bachelor of Science distance-learning degree programme in Applied Computer Science. In the experiment, the sample population was divided into two equally numbered groups, target and control. The target group received standard and CLIL support whereas the control group received standard but no CLIL support. Students’ learning curve was calculated by measuring the relationship between ‘learning progress’ and ‘learning time.’ The results were that: (a) content learning and

students' performance were not compromised by the use of English as vehicular foreign language; (b) the adoption of CLIL methodology actually increased students English language skills; and, (c) students became aware of the added value represented by the dual-focused methodology that CLIL affords.

Several studies have raised language-based issues relevant to SLR3, such as whether language needs to be explicitly taught or whether some language can be left untutored, i.e., left to naturalistic exposure (Marsh 2006; Llinares et al. 2012). If the choice is to teach the language, another consideration is whether teachers should be specifically trained to do so, or whether it is feasible to consider alternatives such as EMI where the expectation is that by incorporating the proper language structures from tutors and peers this may automatically result in language learning (Wannagat 2007). Coyle et al. (2010a) make the important point that in situations in which the learner is exposed to the foreign language has risks. For instance, the inadequate adoption of a foreign language as medium of instruction in higher education settings in which the language part of the curriculum is not tutored. The risk faced by the learner in such circumstances is that of fossilizing erroneous functional uses and grammatical structures of the language which later become very hard to surpass.

Other studies have examined the full potential of the “communicative space” (Llinares et al., 2012: 55) for subject and language learning, arguing that it is reached when teachers take advantage of different types of communication systems (e.g. lecturing, dialogic inquiry), naturally occurring language or content language with an explicit focus on language form (vocabulary, grammar) and functions (academic register, language genres). In relation to the role of language in CLIL, Llinares et al. (2012: 71) argue for the central role of interaction in the teaching and learning of content. Interaction needs to be part of every CLIL teachers' repertoire in all its formats “both because of its cognitive potency and the opportunities it provides for exposure to and use of rich language in the classroom” (ibid 71). They also suggest focusing on the different types of error correction that can be enacted as participants use the AL to explain, argue or describe content, rather than leaving these teaching opportunities “to be acquired by the students incidentally” (ibid: 214).

In terms of proficiency levels, Aguilar & Muñoz (2013: 12) found a series of discrepancies attributed to participants' differences in proficiency in two settings. The effect of language proficiency on learning, according to the authors is relevant. High proficiency students

did not experience any gains after the CLIL experience in either listening or grammar skills, as measured by the standardized tests used in this study. Further, the decrease in grammar scores is significant, indicating that those participants who were advanced users of English at the beginning of the course performed worse at Time 2.

By contrast, the benefits for low proficiency level students were much greater. These students “obtained significant gains in both listening and grammar skills, which indicates that they benefited from following the CLIL course” (ibid: 12).

The study results make clear that student proficiency plays an important role in university CLIL. Aguilar & Muñoz’s study (2013: 12) found that “less proficient students show greater gains in shorter periods than more proficient students.” The study highlights the need to establish expected minimum proficiency levels in CLIL courses at the intermediate level. This result suggests “a threshold level that pupils should have attained before optimally benefiting from CLIL classes” (ibid: 12). For more advanced students, the authors hypothesize, “the absence of gains in the more proficient learners in the present study may be attributable to the characteristics of the input received in class, probably more limited than the input received by students in their university programmes” (ibid: 12).

In a study by Aguilar & Rodriguez’s (2012: 193) one of the weaknesses found in CLIL contexts is ‘lack of interaction.’ For the authors it is not clear (due to lack of respondent complaint details) whether this is related to participants simply finding communication difficult or whether it relates to “lecturers not applying the necessary methodological strategies that promote interaction.” (ibid: 193).

These findings comply with the 4Cs theory principles (Coyle et al. 2010a) that the novelty of CLIL methodology in the implementation phase is that of working “with an interface” that includes not only subject knowledge (content) and language (communication) but also “thinking skills and problem-solving” approaches (Marsh 2006: 34) specific to particular topics as well as unique ways in which learners of different languages and cultures engage in developing cultural awareness and a greater understanding of ‘otherness.’

Evans & Morrison (2011) address needs by comparing students’ language backgrounds. Their findings indicate that those who have studied English as a subject in school as well as those who have studied in an English medium teaching environment develop very different needs from students who have not. The authors found that in the former case, students’ “active and passive vocabularies were much less substantial than their classmates from

English-medium schools” (ibid: 206). The authors also found that these differences permeate all areas of study such as language use, e.g. writing, oral communication, listening and knowledge of subject vocabulary. The lack of vocabulary knowledge made learners’ comprehension of lectures and readings difficult. This also “inhibited the communication of ideas in papers and presentations” (ibid: 206).

In a study conducted in Norway on the distinction between basic proficiency and cognitive skills, Hellekjaer (2009: 198) argued that prior studies which have hailed the prowess of Norwegian students for their apparent oral proficiency in daily situations, “in the sense of possessing basic interpersonal communication skills (BICS), does not mean that they have developed the cognitive academic language proficiency (CALP) English needed for higher education or for occupational purposes.” The principal implication of the study is that “little will happen to improve the teaching of academic English reading proficiency in Norwegian schools unless the educational authorities actively pursue this goal” (ibid: 2009: 213). This includes implementing reading strategies and skills for students particularly at university, i.e., cognitive academic reading skills for the purpose of learning through reading and providing training on how to teach reading strategies and skills (ibid: 213). The point made by the author is that if this is happening in Norway, where students are considered proficient at least orally, what then in countries such as Spain, Italy and France “where EFL is heavily textbook dependent, with little emphasis on extensive reading, where vocabulary development is not emphasized, and where systematic instruction in reading and learning strategies are neglected” (ibid: 213). Hellekjaer’s findings are timely and relevant to this case.

This section ends with a discussion of Lagabaster’s (2011) study which explores the pedagogical implications of CLIL methodology in light of the recurrent negative results reported in Eurobarometer, a survey regularly conducted by the European Commission regarding foreign language education. The author compares EFL classes with CLIL. Findings indicate that “CLIL programmes should be boosted as they exert a very positive influence on learners’ motivation, which goes hand in hand with increased language achievement” (ibid: 15). The winning factor is that CLIL students, compared with EFL students, have extra exposure to the language because class time is dedicated to teaching-learning the foreign language in addition to learning a subject. These findings are also timely and of relevance to this case study.

The next section further examines the important distinction between learning *in* a language and learning *through* language.

3.2.4. The role of Language in CLIL.

The methodological integration of language and content is among the key challenges CLIL is called to address. As with other methods that have preceded it, CLIL is in no way perfect. This new methodology raises different kinds of concerns. CLIL educators are concerned about the ‘quality’ of the learning process where content is taught in L2. Dalton-Puffer (2007: 5) claims there is uncertainty about how much content and how much language should be taught. In her words, “the more frequently articulated voice is that of the content teacher concerned about the consequences of foreign language use on the students’ eventual knowledge of the subject.” Questions arise regarding to which extent content and language affect one another and how much ‘coverage’ and ‘depth’ is considered appropriate, i.e., how much content and how much language should be taught (ibid: 6). Noteworthy is the fact that even though CLIL implementation has met with these and similar uncertainties, the methodology is rapidly spreading throughout the EU.

In support of including language teaching in CLIL are Long’s (1983: 374) twelve second language acquisition (SLA)² studies which explored whether second language (SL) instruction in an English speaking environment, rather than mere exposure, is beneficial or detrimental for students. The author warrants that “there is considerable evidence to indicate that second language instruction does make a difference” claiming that whatever the place of instruction in a theory of SLA the results show that:

instruction is good for you, regardless of your proficiency level, of the wider linguistic environment in which you receive it, and of the type of test you are going to perform on. Instruction appears to be especially useful in the early stages of SLA and/or acquisition-poor environments (ibid: 379-380).

² The phrases ‘second language acquisition’ and ‘second language learning’ are both referred to the learning of a language as subject. SLA is used prevalently in the US. SLL is used prevalently in the UK and other European countries.

CLIL methodology is about teaching content and engaging in cognitively intense activities. Coyle et al. (2010a: 29) point out that “for content learning to be effective learning, students must be cognitively engaged.” This type of engagement has its complexities. It involves making students aware of “metacognitive skills” (i.e., learning to learn) which in law schools may include working in groups collaboratively, setting up question-answer sessions (e.g., Socratic dialogue) about legal-academic issues or developing problem-solving skills in simulated trials (ibid: 29). The issue the author raises is whether learners are able to engage, and if so in which way, when learning a subject in a foreign (or additional) language as medium of instruction, if they do not know ‘how’ to use the language in the first place (ibid: 33). The essence of the point made is that “ignoring progressive language learning in a CLIL setting is ignoring the fundamental role played by language in the learning process” (ibid: 33). The risk of language teaching neglect is, for low proficiency students in particular, the risk of early fossilization (see §3.2.2 above).

CLIL education is characterized by moving “systematically in both [...] content learning and [...] language learning *and* using” (Coyle et al. 2010a: 35). It is as important to use the CLIL language to learn as it is to learn the language in which content is taught (ibid: 35). In CLIL higher education classes, however, disparity does exist between cognitive processing and student linguistic proficiency. It is often the case that participants’ cognitive levels are higher than their language proficiency. Because in CLIL environments there is a need to generate quality communication through meaningful interaction, the connection between language and cognitive processing (ibid: 35) requires particular attention to those activities that best release the creativity of students. The integration of language and content is most useful when adequate conditions are laid down to make the creative event(s) a success (ibid: 35). This requires on behalf of teachers giving feedback, modelling speech acts and actions, instructing students on varieties of language use and functions, especially in LSP legal studies.

In a study on the role of language in CLIL settings, Llinares & Morton (2010a: 62) state that “CLIL teachers, by becoming conscious of and making some adjustments to their own discursive practices [...] might be able to create more affordances for their students’ production of academic speech functions such as explanations.” This awareness may help avoid the almost inevitable situation in CLIL classrooms where “students [...] hardly ever utter anything worth being called an explanation (or any other academic discourse function)”

which, according to the authors, requires going beyond accepting simple responses by eliciting clarification, explanations or any other academic discourse functions needed in this particular situation (ibid: 62). The authors argue that “CLIL students may be able to do more than we think, if we provide them with the interactional space to articulate their understandings.” The authors refer to the need to provide students with knowledge of the language used in a particular discipline, i.e., the technical terms, sentence and discourse structure of a discipline for oral and written communication because in CLIL the lexical-grammatical structures and functions of language are not dissociated from the subject matter or the context (ibid: 62).

Coyle et al. (2010a: 42) claim that educators in CLIL settings need “to identify and justify the means” to achieve the integration of content and language, in view of the importance language and level of proficiency have on the ability of the learner to communicate, learn content, process subject-topics cognitively and develop intercultural competence. Learning in CLIL engages students in the use of the vehicular language, often an FL, which entails the language in which students have more difficulty expressing themselves with respect to their MT. Wells (1999: 119) claims that “it is in learning and using language that we enter into and participate in the ongoing dialogue of meaning-making in the communities to which we belong.” Wells (1999) refers to this type of communication as ‘dialogic learning’ or ‘dialogic inquiry.’ This type of learning which takes place through dialogue arises from jointly undertaken inquiry (Haneda & Wells 2008: 114). Where the dialogue in which people communicate is a foreign language – and therefore, their proficiency level and their cognitive sophistication in that language is lower than in L1 dialogue - activities that require interaction must be managed efficiently by the teacher for learning to be of any benefit (see also §4.5 below).

The underlying assumption is that dialogic interaction is of profit when it provides learners with enough ‘comprehensible input’ (Krashen & Terrell 1983). This is so in communication situations where learners “are likely to have opportunities to participate in discussions when called on to play an active role in the co-construction of curriculum knowledge” (Haneda & Wells ibid: 118). This exposes learners to “produce longer and more complex contributions” by engaging in discussions that foster cognitive processing and the production of new meanings (Haneda & Wells ibid: 118). These contributions involve producing ‘comprehensible output’ which is the result of a person first ‘noticing’ output

problems when communicating, developing language-based ‘hypothesis testing’ of the target language or trying out several ways to express the communicative intention correctly, using the output to talk about the language ‘meta-cognitively’ and to produce ‘comprehensible output’ (Swain & Lapkin 1995).

The pedagogic goal of integrating content and language objectives is to access language that represents the discourse and literacies of the learning context as closely as possible. This is necessary if students are to adequately build their own knowledge base. To do so, not only vocabulary but also grammar and the functions of language in different contexts need to be taught. Snow et al. (1989: 205) suggest using both *content-obligatory* and *content-compatible* language. The former is the type of language needed to learn a subject (content); the latter, the type of language needed to facilitate the learning of a specific unit, concept or cultural understanding of a subject.

On the other hand, Coyle et al. (2010a: 36) propose focusing on linguistic progression based on language learning and using from the perspective of the Language Triptych (see §4.3 below). The three-part triptych (ibid: 36) gives the learner a tool to operate on three fronts: acquiring language *of* learning, language *for* learning *and* language *through* learning. It gives students an all-around opportunity to perfect the language used to learn basic concepts and skills, to operate in the AL and to produce their own language to express their own understanding of the subject topic. Coyle et al. (ibid: 37) point out that the type of language required to operate in an AL to understand basic and disciplinary concepts is a relevant aspect of the CLIL design. Unless learners are able to understand and use language which enables them to learn, to support each other and to be supported, quality learning will not take place (Coyle et al. ibid: 37).

The Language Triptych is a powerful tool for teachers. With it, teachers can plan the language part of a course by preparing a repertoire of language-specific speech acts related to the subject to stimulate communication (Llinares et al. 2012) from a theoretical perspective. This repertoire is supposed to mirror what actually takes place in the learning context. In a course such as SLR3, it implies engaging learners in cognitive processing (describing, evaluating, analysing) and advocacy skills (at first taking shorter strides such as debating and gradually moving on to longer ones such as argument building). With the focus placed on language *through* learning, learners are required to articulate their own thinking beyond surface descriptions at deeper levels (e.g. analysing). In CLIL, interaction supports language

development by moving in spiral fashion from simpler to more complex uses of the vehicular language (Coyle et al. 2010: 38). The synergy of language and knowledge stimulates the generation of new knowledge that comes from building on new understanding of the subject (Llinares et al. 2012).

The next section deals with language and learning theoretical strands, providing the foundations for claims made in this case study based on the literature.

4. LANGUAGE AND LEARNING THEORETICAL STRANDS.

The section discusses five theoretical strands relevant to this study, namely, constructivism, SCT, Coyle's 4C's of CLIL, Cummins's proficiency theoretical framework and Wells's dialogic inquiry model. All five theories deal with different aspects of language and learning and provide explanations of the learning process as a result of engagement in the co-construction of knowledge.

4.1. Constructivism.

Constructivism views knowledge as a personal creation of individuals who engage in learning by interacting with their environment (Dewey 1897, 1916; Bruner 1960, 1985, 1996; Brown et al. 1989; Wells 1999). What the person obtains from learning is personal, i.e., it is the result of a person's interaction with his/her experiences. Educators do not 'give' or 'transmit' knowledge; they give 'experiences' from which people create knowledge for themselves, often in somewhat unpredictable ways.

Barr and Tagg (2004: 1) argue that the shift in paradigm in regards to education today is based on a shift in objectives from *delivering* instruction to *producing* learning. In their words:

We call the traditional, dominant paradigm the "Instruction Paradigm." Under it, colleges have created complex structures to provide for the activity of teaching conceived primarily as delivering 50-minute lectures - the mission of a college is to deliver instruction. [...]. We now see that our mission is not instruction but rather that

of producing *learning* with every student by *whatever* means work best. The shift to a "Learning Paradigm" liberates institutions from a set of difficult constraints.

This resonates with the view of 'learning as engagement and experiencing' shared by many educators (e.g. Barnett & Coate 2005; Schiro 2008) based on the notion of curricula as the 'co-construction of knowledge' (e.g. Bruner 1960, 1985, 1995) and social practices through expert-novice interaction (Moll 1990), teacher-learner, learner-learner dialogic pedagogy (Wells 1999; Haneda & Wells 2008). This conception of university teaching and learning distances itself from the notion, diffused in scholar-academic curriculum designs around the world, that envisions the instruction paradigm as 'transmission' of knowledge and practices that puts the teacher in the role of 'the sage on the stage,' handing down knowledge to the learner rather than taking on a less prominent role as 'the guide or facilitator' endorsed by learner-centred and reformist constructivist perspectives where space is allowed for learner agency and autonomy (Trowler 2008: 32).

Schiro (2008: 40) compares the scholar-academic with the learner-centred approach, in the way these two ideologies view the concept of knowledge. The former views knowledge as a sort of product to be disseminated and assimilated.³ In this conceptualization, knowledge gives to those who receive it the ability to understand the world that surrounds them. It is up to educators in academic disciplines to disseminate the ontological and epistemological features of knowledge of a discipline. T&L in a scholar-academic ideology aims at acculturation into the discipline through transmission of disciplinary knowledge from teacher to learner by way of "didactic discourse, supervised practice, and Socratic discussion" (ibid: 40). This stands in clear opposition to the learner-centred ideology which views knowledge as meaning-making. Rather than refer to knowledge as something to be assimilated, the view is that knowledge should be equated to 'experience' (e.g. Edwards 2005; Schiro ibid: 108, 109). Educators who embrace a learner-centred ideology are: (a) less focused on knowledge than they are on growth and learning; (b) more interested in the 'process' by which an individual learns, i.e., the learning which yields the product of learning more than knowledge itself; (c) more focused on learning since it naturally leads to the construction of new knowledge, consequently, what individuals as learners need to do is to learn to build it (Schiro ibid: 108-109).

³ The word 'knowledge' here means both "that which is known" and "the way in which something is known" (Schiro 2008: 40).

Constructivism is relevant to this study for the empowerment given to the learner in educational settings to generate his/her knowledge base. One such constructivist theory relevant to this study is SCT.

4.2. Socio-cultural Theory (SCT).

SCT is indebted to the work done by the Russian psychologist Lev Vygotsky in the 19th and 20th centuries. One of the central claims made by Vygotsky (1978) which has left a lasting impression on education theory and practice is that all learning, from an early age to later stages of a person's life, is realized through the interaction between an 'expert' and a 'novice,' mediated by the use of language, at different stages of a person's development (home, school, university, work place). SCT has been adopted by a number of language educators and researchers in SLL because the theory "not only allows but presupposes an integrated view of language and subject learning" (Dalton-Puffer 2007: 263).

The reason for exploring this strand of educational research is that SCT has explanatory power for the practices carried out by teachers in the courses examined in this study. As a theory of general and SL education, SCT purports that the basis of learning is in the meaningful interaction between teacher and learner. Learning takes place in several stages of development - from dependence on the teacher on behalf of the novice to independence of the novice from the teacher - supported by the use of both language and artefacts. Two examples of artefacts of interest in this case are mock trials and Socratic dialogue. SCT is of consequence in this study for the role it gives to "target language interaction;" SCT researchers view target language interaction as having an essential role in language learning (Mitchell & Myers 1998: 193). This also resonates with dialogic learning (Wells 1999; Haneda & Wells 2008) and CLIL 4Cs theory (Coyle et al. 2010a).

One of Vygotsky's (1987) most powerful theoretical assumptions is known in education as the Zone of Proximal Development (ZPD). The underlying assumption of ZPD is that learning is most effective when an expert guides, by means of interaction and the use of language, a student or novice in his/her epistemological path. Importantly, knowledge provided by the expert needs to be within the learner's ZPD, a zone not yet known but yet not too distant from his/her present level of thinking. New knowledge targeted within the ZPD is

hypothesized as contributing to the unfolding of the learning process, at first in guided mode (i.e., cognitive assistance), and subsequently, once knowledge is ‘internalized’ by the learner, in automatic mode.

ZPD mirrors the conception and place learning has within SCT’s theoretical framework. Learning a new concept proceeds from extra-mental to intra-mental in four stages of development (Vygotsky 1987). In stage I, the learner is guided through mental operations and practices aided by the following six types of cognitive-based assistance; the first four have potential for explaining teaching-learning in SLR3 (Gallimore & Tharp 1990):

- (1) *instruction* (subject);
- (2) *modelling* (demonstration);
- (3) *feedback* (confirming/correcting/reformulating);
- (4) *questioning* (asking/answering questions),
- (5) *cognitive structuring* (linking/contextualizing acquired knowledge with broader concepts or theory);
- (6) *managing rewards* (assessment of the learner’s work).

Each of these steps are part of the ‘scaffolding’ necessary for learning to take place.

Gallimore & Tharp (1990) conceptualize the four stages of learning as dynamic, changing, mediated. Starting with stage I, where it is the learner who organizes his/her ideas. If forgotten, the expert’s role is to remind the learner of the steps yet needed to carry out a given task. In stage II, guidance helps the learner to ‘internalize’ concepts and steps that permit him/her to understand text, work on resolving a problem or task (i.e., problem-solving recalls a systematic, step-by-step effort made by the learner resulting in the unravelling of a query and finding a solution to it). Guidance can be either done individually or in groups. If in groups, the learner engages in classroom activities that stimulate cognitive processing which require attention to language form, meaning and uses. In stage III, the intra-mental activity of the learner evolves; i.e., it is enriched by the person’s capacity for inter-mental work where he or she becomes interested in interacting and sharing experiences with peers or assistants in the completion of a learning task. This is a sign that the learner has gone past the ZPD and is no longer in need of directed guidance. This is considered positively, i.e., it is taken as a sign of maturity, of the learner’s need to move on to the next development stage. In stage IV, the

learner has incorporated a set of conceptual and factual knowledge to render him/her independent.

Moll (1990: 5) discusses two concepts of Vygotsky's theoretical formulation which in his view are key to understanding ZDP. These are *mediation* and *change*. Mediation is a kernel concept which places the unit of analysis of learning within a 'definite educational system.' It is through mediation that the *construction* of knowledge occurs in formal, 'school' settings; "formal instruction in writing and grammar, for instance, refocuses the attention from content of communication to means of communication, providing the foundations for the development of conscious awareness of important aspects of speech and language" (Moll 1990: 10). This is important for education for "the intellectual skills that [learners] acquire are directly related to how they interact with others in specific problem-solving environments." By internalizing the assistance received, learners "eventually use these same means of guidance to direct their subsequent problem-solving behaviours" (Vygotsky 1987; cited in Moll *ibid*: 11).

Another kernel concept in SCT is *change*. It is claimed that a person can autonomously do today what they were unable to do yesterday as a consequence of development through education. As a concept, change is important for it marks the passage of the learner's development from intra- to inter-mental activity. This development is characterized by knowledge and practices that are externalized, in other words, shared in a social context. Change is also an indication of the appropriation and subsequent mastery of a unit of study. Moll (1990: 13) posits that the focus of change "is not on transferring skills ... from those who know more to those who know less but the collaborative use of mediation means to create, obtain, and communicate meaning."

From research evidence gathered, however, Moll warns (*ibid*: 131) that it has been demonstrated that although in collaborative situations mediation had a strong impact on students in certain cases it may be far from beneficial for development.

In the field of language education, socio-cultural theorists have expanded the concept of ZPD to include a broad variety of new forms of mediated, collaborative activities (Mitchell & Miles 1998: 214). Current socio-cultural theorists, known as 'neo-Vygotskians,' such as Lantolf (1994, 2000, 2006) and his collaborators (Dunn & Lantolf 1998) have adapted concepts laid down by Vygotsky's general theory of teaching successfully to the teaching-learning of languages. 'Neo-Vygotskian' theory, Mitchell & Myles (2004: 194) suggest, is

based on “contemporary interpretations and modifications to Vygotsky’s original ideas” by educators such as Bruner (1985), Swain & Lapkin (1998) and psychologists such as Moll (1990), Donato & McCormick (1994) and Wertsch (1995, 1998). Neo-Vygotskian socio-cultural theory has had a lasting influence on SLA theory for the centrality given to interaction and communication.

Gallimore et al. (1986: 614) argue, on Vygotskian grounds, that

the regulation of behavior is largely a verbal/semiotic process, which develops from a social transaction into an intrapsychological transaction. Behavior is first regulated by the utterances of a more capable other (in social transaction); then by self-directed speech of the learner; finally, the self-directed speech goes "underground" and becomes steadily more silent, rapid, and abbreviated.

A study by Donato & McCormick (1994) in a French school class examined the “development of language learning strategies within socio-cultural theory” where the learning was mediated by means of a portfolio assessment procedure (ibid: 453). The purpose of the study was to produce evidence in support of the idea, based on Vygotsky’s theory of education, that “the development of language learning strategies is mainly a by-product of mediation and socialization into a community of language learning practice” (ibid: 453). This study is relevant to SLR3 research in that it addresses issues contained in the research questions regarding law students’ perceptions about being engaged into learning and practicing law in an FL.

Vygotsky’s theory supports the assumption that the strategies acquired in the act of learning associated with practices in a given cultural group help the novice develop into a competent member of the community. In this context, the classroom becomes “a culture with distinctive forms of practice, mediation, and social relations” (ibid: 454).

Educational studies indicate that refining the language correlates with refining subject matter learning. In Donato & McCormick’s (1994) study, the authors found that through the writing of portfolios, presented at different stages, their productions were ever more complex and better organized. As students refined their language (talking about the task, explaining, clarifying) and presentation strategies (group or individual), the 10 graduates in the sample were better able to speak French. This type of engagement also led them to improve their present language proficiency levels needed to engage in meaningful research-based activities,

such as “questioning the authority of their own textbooks and problematizing their learning experiences” (ibid: 461).

Vygotsky’s position on mediated learning and socialization is supported by Johnson (1995) who views classroom learning as negotiation, and by Mitchell & Myles (2004) who view in negotiation of meaning the convergence between socio-cultural theory and CLIL.

4.3. CLIL. The 4 Cs framework and theory.

Coyle et al.’s 4Cs theory provides a theoretical and practical framework to help explain how different elements in CLIL education fit and why these elements are important. CLIL methodology is designed to integrate four components: *content* (subject matter), *communication* (learning language and language using), *cognition* (learning to learn) and *culture* (intercultural understanding/global citizenship) (Coyle et al. 2010a: 41-42). Together these elements constitute the 4C’s or pillars of CLIL methodology. The first element, Content is the “subject or the CLIL theme;” it is not simply a matter of acquisition of knowledge but of accessing the knowledge of the subject (Coyle et al. 2010a: 53). Language is, Coyle et al. write (ibid: 54), “a conduit for communication and for learning which can be described as *learning to use language and using language to learn.*” Communicating in CLIL goes beyond the simple mastery of L2 grammar rules but it does not propose ignoring “the essential role of grammar and lexis in language learning.” CLIL methodology makes a distinction “between language learning” (e.g. learning the grammatical system) and “language using” (learning to respond to situated demands) (ibid: 54). CLIL has similarities and differences with other language teaching approaches. One such methodology is Content-based Instruction (CBI). Stoller (2002: 117) argues that CBI is of consequence in curriculum designs that call for the enactment of specific tasks in which an efficient pairing system is set up. This produces a double effect: engagement with an activity that requires knowledge of content and language production and the enhancement of learning through motivating, engaging experiences. Another methodology is EMI discussed in §3.1 above. These approaches are all focused on language and content but what distinguishes CLIL from the others is, as mentioned above, its focus on the integration of the two subjects. The methodology, however, goes beyond the

dual-focus to the integration of another two elements into the design: cognition (e.g. cognitive processing) and culture (e.g. intercultural competence) (Coyle et al. *ibid*: 54).

Cognition in CLIL methodology centres on challenging learners to developing “new knowledge and [...] new skills through reflection and engagement in higher-order as well as lower-order thinking” (Coyle et al. *ibid*: 54). CLIL is not the kind of approach where knowledge and skill are transferred from one person to another. Coyle et al. (*ibid*: 54) make the point that “CLIL is about allowing individuals to construct their own understandings and be challenged – whatever their age or ability.” CLIL is interested in “the relationship between cognitive processing (learning) and knowledge acquisition (content)” (Coyle et al. *ibid*: 54). Cognitive development is a key element in curriculum design. As opposed to EMI, in CLIL pedagogy, teachers explicitly benchmark their activities to meet demands of a cognitive processing nature grounded on known research-based standards such as the taxonomy first elaborated by Bloom (1956; cited in Coyle et al. 2010a: 31) and Anderson and Krathwohl’s taxonomy (2001; cited in Coyle et al. 2010a: 31) in which knowledge and use of language are of key importance.

Culture is conceived in CLIL pedagogy not as an additional information or topic but rather as “a thread which weaves its way throughout any topic or theme” such that “studying through a different language is fundamental to fostering international understanding” (Coyle et al. 2010a: 54). In a CLIL environment, “the use of appropriate authentic materials and intercultural curricular linking can contribute to a deeper understanding of differences and similarities between cultures” (*ibid*: 54).

In an intercultural approach to English language education, Corbett (2003: foreword ix) writes, “culture is a constant backdrop to the everyday use of language.” Corbett argues (*ibid*: 2) that “intercultural communication competence includes the ability to understand the language and behaviour of the ‘target’ community and explain it to members of the ‘home’ community.” The author (*ibid*: 36) points out that an intercultural approach to teaching “also recognizes the fact that different learners have different needs, and that these needs should be taken into consideration when devising curricula and course” (*ibid*: 39). Non-native language learners are less skilled in so far as they do not yet master the L2 language system but may well compensate for that lack by providing interesting perspectives and knowledge of other cultures to class communicative exchanges (Cook 1999; Corbett 2003: 40).

Kramersch (1998: 8) also focuses on the connection between language and culture. According to the author (ibid: 8), language is not to be considered “a culture-free code, distinct from the way people think and behave, but, rather, it plays a major role in the perpetuation of culture.” For this (ibid: 8), “language is intimately linked not only to the culture that is and the culture that was, but also the culture of the imagination that governs people’s decisions and actions far more than we may think.” Kramersch claims that intercultural communicative competence is not about knowledge but about ‘shared rules of interpretation’ that are applied judiciously to familiar and new contexts to make sense of the world (ibid: 27). An intercultural competent person is one who “moves easily between discourse communities – communities encountered at home, school, work and play – observing and applying the language that is appropriate to each community” (ibid: 82). A person who speaks more than one language and is familiar with more than one culture is generally more skilled than monolingual NSs (Kramersch 1998; Cook 1999).

According to Cook (1999), in the process of learning L2 a person becomes an L2 user, which the author identifies as one who possesses most or some of the NS characteristics but whose MT is different from the language in which subjects are taught. If one accepts that each language is a system in itself, then an L2 user may be described as a person capable of operating by employing two language systems, in other words, a multi-competent individual and for this reason, different from a monolingual person (ibid: 190).

In intercultural classrooms, the norms students bring to classroom behaviour vary considerably. Corbett (2003: 48) points out that learners need to be made aware of pattern variation across cultures. For some cultures, silence is acceptable whereas for others what counts is to express ideas and thoughts freely. Shaw & Bailey (1990: 31) state that in intercultural settings, where mutually accepted norms do not exist, it may be necessary for teachers to teach students to develop intercultural competence for the benefit of both host and home students. It may very well occur that “[i]n the home culture of many international students, it is not the custom for students to ask questions of the professor during class. In the target culture, however, such behaviour is permissible, even encouraged.” This implies, according to Shaw & Bailey, knowing when is the right moment to take a turn and when it is not. Such situated differences may cause negative perceptions related to unfulfilled academic needs because of the inability to properly interpret and understand the norms typical of host institution classroom behaviour. In addition, in classroom communication, meaning does not

come automatically: “Participants need to infer what is meant from what is actually said. The name usually given to an expression that demands some kind of inference to make sense is ‘conversational implicature’” (Corbett *ibid*:49; Austin 1962, cited in Corbett 2003). As a result, teachers need to accurately manage the kind of language used in interaction in consideration of the fact that interpretation of meaning in L2 is facilitated by explicit rather than inferential-type language.

Coyle et al. (2010a: 39) point out that because of the importance of developing learner cultural competence, “CLIL opens “an intercultural door” in which “learners can have experiences which they could not have had in a monolingual setting.” It is important to report the distinction made “between deep and surface knowledge of what culture is and how to use the knowledge” (*ibid*: 40). In a classroom, at the micro level, cultural understanding takes the form of meaningful exchanges involving peers and teachers. At the macro level, interaction outside the classroom is also key to developing intercultural competence (Byram 1989; Donato & McCormick 1994).

This relates to the concept of the social construction of meaning through dialogue. Corbett (2003: 96-97) writes that

communication through dialogue [...] arises out of a complex, ongoing negotiation about what utterances mean. The idea that meaning is ‘dialogic’ (i.e., negotiated through interaction between participants in a context) rather than ‘monologic’ (arising from an individual’s wish to express him or herself) [has] influenced much recent work on culture and language teaching.

In this conceptualization, the model of ‘active speaker and passive listener’ is replaced by ‘active-speaker and active listener.’

Corbett (2003) makes the point about just how important culture is: “Any communicative event implies a cultural context, which must be drawn upon to make sense of it: if the cultural context is changed, then the meaning of the communication changes too. This is true even of scientific and professional English” (2003: 69). In addition to improving language knowledge and performance, the *way* language is used to develop thinking is equally important. For instance, in law school, it is of consequence to learn to analyse and to understand the differences that exist among legal systems by drawing comparisons between substantive and procedural laws within them. The activity engages learners in lower- and higher-order thinking and also in communicating and sharing their thoughts by means of new

language resulting in the development of a richer knowledge base and a richer language repertoire.

Another important feature of Coyle et al.'s (2010a: 36-37) theoretical framework is the articulation of language curricula into three parts, named The Language Triptych. The three parts involve (ibid: 61-63) three domains of language learning. The language *of* learning - or the language used to learn subjects in English, which in curriculum terms has as main purpose the understanding of basic terms and concepts of the content in L2. Language *for* learning, which in curriculum terms has as main purpose the development of speech acts useful for writing about or explaining subject topics. Language *through* learning, which has as main purpose the development of the learner's creative ability, empowering learners to take control of their language repertoires for creative uses of the language (see §3.2.4 above).

The next section discusses a learning theoretical strand related to language proficiency (briefly addressed in section §3.2.3 above).

4.4. Language proficiency. CALP and BICS.

In his work language proficiency in bilingual education, Cummins (1984: 143) developed a theoretical framework to explain the link between language learning and cognitive development. The framework distinguishes between two types of conceptualizations about proficiency based on research by Skutnabb-Kangas & Toukomaa (1976; cited in Cummins 1984: 136) conceptualized by them as 'surface fluency' and 'conceptual-linguistic knowledge.' Cummins renamed the two constructs BICS and CALP. BICS, or Basic Interpersonal Communicative Skills, consists in language skills that permit the learner to interact with others in the target language even without formal knowledge of the language (e.g., the language one 'picks up' in the street). CALP, Cognitive/Academic Language Proficiency instead, consists in language proficiency characterized by a formal knowledge of the language (i.e., based on knowledge of the grammar system, pragmatic and functional uses of language derived from explicit learning of the target language in academic settings).

The framework represents BICS and CALP along two continuums. The horizontal axis distinguishes between 'context reduced' and 'context embedded' language use. A context-embedded situation is typical of a less demanding language use situation (e.g. outside the

classroom or in casual encounters). By contrast, a context-reduced situation is typical of more demanding, academic use of language (in the classroom or formal encounters), for instance skills to work on activities of an abstract nature (Cummins *ibid*: 138). In context-reduced situations, understanding a message depends on language cues that the person employs to interpret meanings, which depends on the person's knowledge of the target language or subject or both.

The vertical axis represents the contrast between 'cognitively undemanding' and 'cognitive demanding' communication. Cognitive demanding communication relies less on feedback and more on knowledge of the subject and the ability to interpret the meaning of a message in context. Cognitive undemanding communication on the other hand gives students the possibility of actively negotiating meaning by providing feedback on or paralinguistic cues for signalling that a message has not been understood (Llinares et al. 2012).

Cummins developed a second framework represented as a dual-iceberg to account for differences in bilingual education between students' levels of proficiency, named by the author 'principle of interdependence' (*ibid*: 29). According to this principle, [t]o the extent that instruction in Lx is effective in promoting proficiency in Lx, transfer of this proficiency to Ly will occur provided there is adequate exposure to Ly (either in school or the wider community) and adequate motivation to learn Ly." The principle makes clear that while the differences in terms of Lx and Ly are visible and 'detectable' on the surface (e.g. fluency, pronunciation), there exists an "underlying cognitive/academic proficiency which is common across languages." This permits the learner to transfer "cognitive/academic or literacy-related skills" from one language to another. Of consequence, according to Cummins (*ibid*: 143), is the fact that "the interdependence or common underlying proficiency principle implies that experience in either language can promote development of the proficiency underlying both languages, given adequate motivation and exposure to both, either in school or the community."

This common cross-lingual underlying proficiency permits the transfer of knowledge of subject matter, concepts, higher-order thinking, strategies for reading and writing (Cummins *ibid*: 143). It is for this that 'transmission-oriented approaches' are called into question by the author (1984: 223), who views the transmission model as fundamentally flawed. Transmission teaching contravenes the fostering of personal engagement which, according to Cummins (*ibid*: 223), is an essential condition for communication and higher-order cognitive-

academic processing. Literacies and language within the transmission model often consist in teaching learners to respond to “pre-sequenced, content reduced knowledge and skills” (ibid: 223) where the teacher controls interaction initiation, feedback and conclusions in the form of closed interaction and drills to achieve prescribed educational objectives. This resonates with work carried out by Wells (1999) and Haneda & Wells (2008) discussed in the section below.

4.5. Dialogic inquiry.

Dialogic Inquiry is a method that recognizes the central role played by interaction in the ‘co-construction’ of knowledge. Wells’s (1999: 83-85) dialogic inquiry framework “[s]tarts with personal experience which, amplified by information, is transformed through knowledge building into understanding.” It is through this transformative spiral-type process called by the author the ‘knowledge-building cycle’ that learning is enriched at incremental levels of complexity. The dimensions within the cycle are: *experiencing*, *information gathering*, *knowledge building* and *understanding*. Wells (ibid: 85) claims that the building of knowledge begins from ‘experience’ – a personal domain, integrated with outside ‘information’ – a public domain, for the purpose of accessing ‘knowledge building’ – a public domain, which leads to ‘understanding’ – a personal domain. Hence, while knowledge building has to do not only with the internal process of integrating experience and information but also with the joint activity of engaging in the construction of it with others, understanding has to do with the appropriation of experience, information and knowledge building that results in a change in perspective or new way of viewing prior experiences along with information and knowledge. Once understanding is reached, a new cycle of knowledge building commences.

For Wells (ibid: 85), understanding is the ultimate goal of each turn of the knowledge building cycle, and the ultimate goal of education. In dialogic inquiry, opportunities are provided for students to engage in learner-learner and learner-teacher interaction. Haneda and Wells (2008: 114) point out that

it has been increasingly recognized that classroom discourse plays an important social role as a semiotic mediator of *knowledge construction* with respect to curriculum content. The assumption is that through active verbal engagement with a topic of

interest, students are enabled to master the modes of language use associated with schooling – the various genres and registers specific to the different school subjects.

Haneda and Wells (ibid: 114) pose the following question: *Under which conditions might effective dialogic interaction be enacted in classrooms involving EAL students and what forms might it take when the majority of students have limited proficiency in the target language?*

Haneda & Wells (2008) agree with Cummins (1984) that skills and knowledge of the L1 are not lost when learning in L2. Since L2 learners, as opposed to L1 learners, lack “comparable early language experiences in the language used in the classroom” Haneda & Wells (ibid: 115) suggest that “in order to be successful, it is of utmost importance that frequent opportunities are provided for students to engage in dialogic interaction in the language of instruction with peers as well as teachers.” The authors (ibid: 118-119) point out that dialogic interaction provides opportunities: a) to receive ‘comprehensible input’ (Krashen 1983) and generate ‘comprehensible output’ (Swain & Lapkin 1995) in the form of more elaborate, extended dialogue to develop academic and disciplinary competence; and, (b) to participate in class discussions that lead to learning the social and communicative strategies needed to access academic content and take part in the co-construction of knowledge in progress.

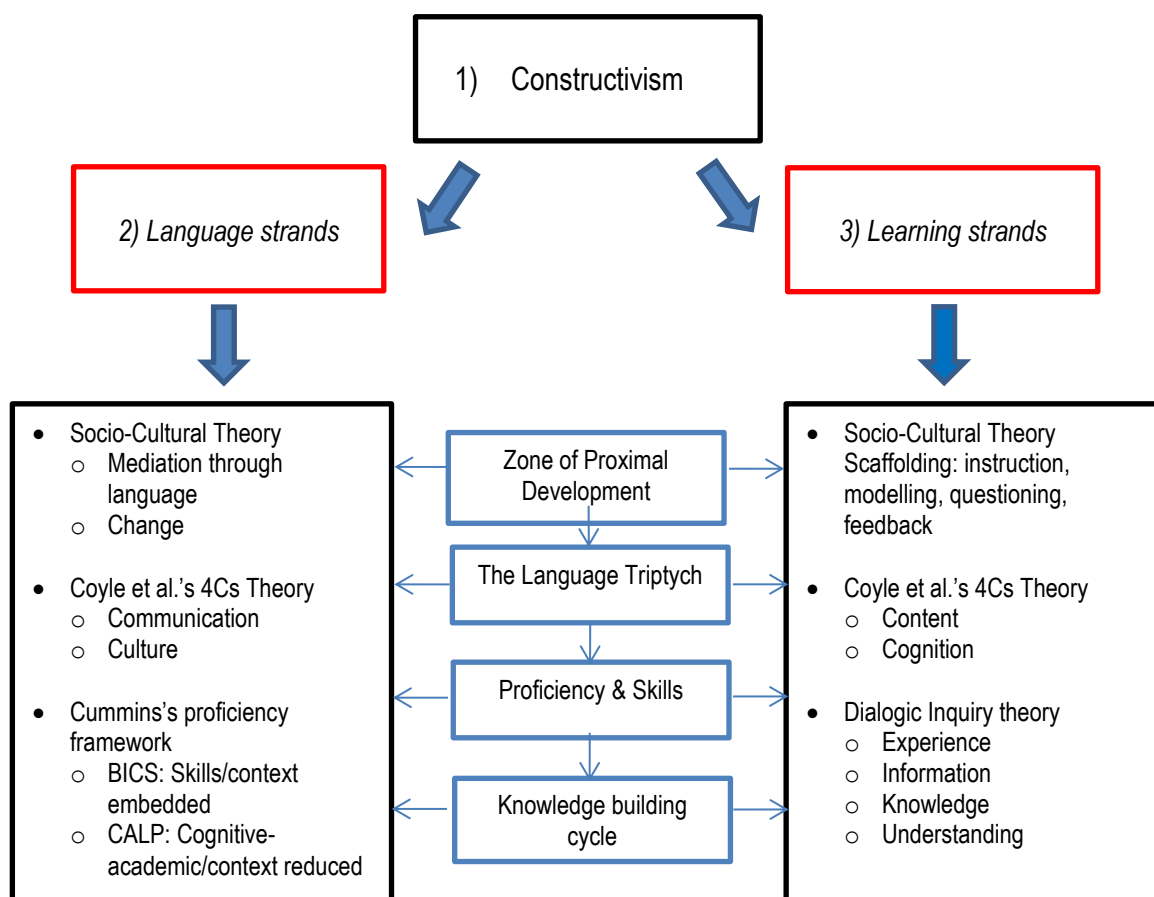
For engaging dialogue to take place, participants must be interested in the topic, motivated to voice their personal beliefs and opinions about the topic and also have the certainty that all group members’ contributions are accounted for. The chance of this happening depends on whether engagement invests all participants, whether group work topics are self-chosen and whether the role the teacher assumes is not that of “primary knower with respect to the conclusions to be reached” (Haneda & Wells ibid: 120).

The relevance of dialogic teaching in CLIL environments is acknowledged by Llinares et al. (2012: 63). The authors make the point that CLIL teachers have the double task of planning content topics and setting objectives relevant to the choice of topics which entails planning an appropriate “communication system best suited to dealing with these” (ibid: 65). Dialogic teaching gives learners an excellent opportunity to develop a number of competences in L2 and for this it “can be doubly beneficial for learners studying through an additional language” (ibid: 65). For this, “dialogic teaching must form an essential part of all CLIL teachers’ repertoires in all the different interactional formats, both because of its cognitive

potential and the opportunities it provides for exposure to and use of rich language in the classroom” (ibid: 71).

Fig. 2.2 below provides a visual of the five theoretical strands discussed above. An overall constructivist approach (1) brings together several language strands (2) and learning strands (3). The language strands are: SCT, a complementary perspective within Vygotsky’s learning theory that views learning (change) taking place through language mediation. The language strand within CLIL 4C’s theory that views language and culture as two complementary pillars of learning. Cummins’ language proficiency theoretical framework that distinguishes between two types of proficiency, BICS for communicating in L2 in everyday situations whereas CALP for cognitive-academic communication in higher education or schooling. BICS is used to operate in context-embedded situations whereas CALP is used to operate in content-reduced contexts (Cummins 1984).

Fig.2.2. Language and Learning theoretical strands.



The learning strands are also three: SCT based on work done by Vygotsky and the neo-Vygotskians. In this conceptualization, experts scaffold their teaching to novices in stages in order to socialize learners into becoming gradually more autonomous in their acquisition of knowledge and culture. Within this construct, learning is successful if the teaching is targeted to the learners' present level of development, i.e., teaching takes place within the learners ZPD which means that if the teaching is too simple, i.e., below the learners' ZPD, or too complex, i.e., above the learners' ZPD, quality learning is at best compromised and at worse meets failure.

The 4C's theory is an integrated framework that takes into consideration, in its learning strand, the learning of content and in parallel the building of cognitive skills. The lack of interrelatedness of these two pillars, content and cognition, results in the disintegration

of learning into surface approaches such as rote memorization of subject topics. The key to a proper integration of the four pillars is the Language Triptych. It allows teachers to reach a complete integration of content and cognition into a well-planned, rich language and culture curriculum (see §4.3 above).

Wells's (1999: 85) knowledge building cycle through dialogic inquiry views the use of dialogue in constructive learning as a tool for quality learning through elaborating personal experience and external information to build knowledge of the world and personal understanding in an ever more complex learning cycle, depicted as a spiral, a metaphor used to illustrate the progression from experience to understanding.

The next section addresses policy.

5. POLICY.

This section discusses policy at two levels, EU policy (§5.1) and national (Italy) and local (R3) policy (§5.2). It also briefly looks into new directions in higher education methodology for the teaching of subject matter in a foreign language (§5.3).

In section 5.1, a brief historical account is given of the reasons in favour of adopting CLIL as a prominent language education methodology in European schools and recently in universities. This resonates with the view that higher education plays a central role in the development of both human beings and modern societies as it enhances social, cultural and economic development, active citizenship and shared ethical values.

5.1. The European Union (EU) dimension.

The *de facto* need for linguistic unity in Europe is, according to Breidbach (2002: 274), subject to an 'integration paradox.' It relates to the basic pragmatic position that sees the adoption of a *lingua franca* to stimulate communication in the European region as a step forward in the internationalisation process. This is in contrast with the equally genuine and justifiable position that considers the adoption of the *lingua franca* as a step backward in

regards to the need to preserve linguistic diversity in the region, and consequently, the promotion of language policies that foster multilingualism (ibid: 274).

The choice of English as medium of instruction resonates with the need in international educational programmes in Europe and elsewhere to communicate in a *common* language, i.e., a language that best satisfies the communicative demands of regional or international communities, both institutionally and professionally. Educators tend to perceive the fact of choosing English rather than several other languages as medium of instruction (e.g. SLR3) not as a violation of the Council of Europe pro-Education for democratic Citizenship or the pro-plurilingualism policies (Neuner 2002; Truchot 2002; Breidbach 2002, 2003) but as a practical solution that responds to day-to-day and educational need to communicate, teach and learn, exchange ideas and cultural insights or publish research in a language shared by the largest number of persons possible.

This position puts a premium, Breidbach (2003:22) argues, on “sustainable cultural and political inclusion, which can lead to opportunities for participation in multilingual Europe,” which is presently in need of “a holistic language education policy inclusive of English *and* linguistic diversity” (ibid: 22). Coleman (2006) views this issue as having prime importance, such that it could end by forcing the EU to review its plurilingual policy in favour of English. To better understand these positions it is necessary to address the nature of the *lingua franca* phenomenon.

The European Economic and Social Committee Detailed Work Programme (EESC 2003) on the follow-up of European education and training system goals with a focus on opening up education and training in Europe, includes strategic objectives for the improvement of FL learning by encouraging citizens “to learn two or [...] more languages in addition to their MT” (ibid: 126) in response to the need to achieve a linguistic, intercultural and socially cohesive region through the promotion of language learning and linguistic diversity (ibid: 127). EESC (ibid) also calls for improvement in approaches to language teaching as opposed to the typical call “for more class time for the teaching of a single language.” In respect to the language issue,

[t]he EESC sees English as a *lingua franca*, while being aware of the limits of any *lingua franca* (it does not permit any real understanding of other cultures). Circumstances dictate that English will probably in time become the language spoken by a majority of Europeans. (EESC ibid: 127).

One of the driving forces in European education policy is the need for more effective language teaching methodologies in the effort to foster a greater integration of the region. In 2006, the Council of Europe (COE 2006: 4) stated that as far as language education is concerned, the purpose was to promote “policies which strengthen linguistic diversity and language rights, deepen mutual understanding, consolidate democratic citizenship and sustain social cohesion.” The phrase ‘mutual understanding’ is described as “the opportunity to learn other languages” as a primary condition “for intercultural communication and acceptance of cultural differences” (ibid: 4). The phrase ‘social cohesion’ is understood as the “equality of opportunity for personal development, education, employment, mobility, access to information and cultural enrichment” (ibid: 4). The achievement of these goals depends on the opportunity to learn languages in the course of a person’s life.

Marsh (2006: 67) highlights the importance of preparing the EU for internationalisation and integration of its citizens. The author sustains that “European integration and global internationalisation have had an impact on environments ranging from those of the nation, through to regions and schools.” At university level, integrating a large citizenship involves developing efficient methodologies such as CLIL to meet the international demands capable of preparing students particularly, according to the author (ibid: 67), where the “transnational dynamic of the non-language subject content can [...] be used as a reason for the introduction of this approach.”

CLIL satisfies several needs such as the need to communicate by means of a second, foreign or AL, in educational settings, rarely used in real life settings (work, social). Also, the need for people to learn how to communicate with various virtual or direct channels of communication in lieu of policies that promote, regulate and facilitate Union mobility. The EU promotes the introduction of one or more foreign languages into the curriculum for “developing interest in further study” of more languages in the move towards fostering plurilingualism among Europeans “across the whole age range” (Marsh Report 2002: 67) which can be accomplished with methodologies such as CLIL. In terms of *how* to accomplish EU educational objectives in practice, of interest is Wolff’s (2002: 47) point:

CLIL creates a learning environment which corresponds much better to modern pedagogical principles than do traditional learning environments. The classroom is seen as a learning laboratory, a place in which learners and teachers jointly work in projects, a place in which the different subjects are not divided arbitrarily and taught in isolation, but are seen as a complex whole, a place of autonomous learning in which the learners deal independently with the learning content.

The Commission of the European Communities' (CEC 2008: 3) revised social agenda, renewed its language policy approach in view of dealing with the needs and changes of a fast growing, rapidly evolving globalized world, focusing on the concept of multilingualism at EU level (ibid 2008: 3). The greatest challenges the EU faces - in a Union with almost 500.000.000 citizens, 28 member states, 24 official EU languages, three of which, English, Spanish, French, with a wide geographical distribution worldwide - are language diversity, intercultural communication and social cohesion, all of which pend on knowledge of foreign/vehicular languages (ibid: 4).

The CEC 2008 report suggests taking the following actions to foster a systematic collaboration effort towards enhancing mutual understanding among Member States, first laid down in the joint Council of Ministers of Education Resolution 1976, by means of: (a) developing programmes "to support teaching of more languages through lifelong learning," mobility of teachers and students and teacher training [...]; (b) developing a multilingualism inventory of best practices; (c) offering opportunities for citizens to reach the MT+2 objective; (d) enlarging the "range of languages" (CEC ibid: 12).

To reach these objectives, citizens should: (a) be given the chance to communicate appropriately in the target language in order to make the most out of the opportunities offered by a modern and innovative EU; (b) have access to appropriate language training or to other means of facilitating communication so that there is no undue linguistic obstacle to living, working or communicating in the EU; and, in the spirit of solidarity, even for those who may not be able to learn other languages, (c) be provided with appropriate means of communication, allowing them to access the multilingual environment. (ibid: 4).

The Lisbon strategy, Education and Training 2010, launched a challenging objective for the Union: "to achieve its ambition of becoming the most competitive and dynamic knowledge-based economy in the world," a world with a steady economic growth capable of generating more and better quality jobs within a stable, socially cohesive region:

The development of societies and economies which attach ever greater importance to knowledge requires major change in European higher education in the face of increasing internationalisation. The universities must not only be able to take full advantage of this new pre-eminence of knowledge but must also have the capacity to contribute actively, since they are the main players involved. They are in fact central to generating knowledge by scientific research, passing it on by education and training, disseminating it by means of information and communication technologies and exploiting it by technological innovation.⁴

It follows that to achieve the above goal of becoming a competitive and dynamic knowledge-based economy, it is imperative that Europe count with a solid, quality university system throughout the EU that is internationally recognized for its excellence in different fields of study (History of Education and Training, EC *ibid*: 241).

The next session discusses national and local policy.

5.2. National and local policy.

The Eurydice 2006 report on data regarding CLIL Italy, corroborated the provision of CLIL as part of Italian mainstream school education. Over 100 pilot projects were launched throughout the country at the end of the 1990s. As a result, projects were implemented in Lombardy (2001) and Veneto (2003) regions for the duration of 2 years. Bodies responsible for funding and management were regional education authorities, university faculties, and regional institutions for research into education working independently, in partnership or on a closely coordinated basis. Teacher qualifications for teaching in primary and secondary education were equal to the basic qualification requirements established for regular teachers. One of the obstacles to full implementation was the shortage of qualified teachers in both subject and languages.

In a survey conducted in Italy on Integrated Content and Language in Higher Education (ICLHE) provision, in line with CLIL provision, the report indicates that out of the 43 - of a total of 76 universities to which the survey was sent - 74% reported being ICLHE course providers (Costa & Coleman 2010: 111). In addition, the survey indicates that 53% of

⁴ Communication from the Commission: 'The role of the universities in the Europe of knowledge,' 5 February 2003; cited in History of Education and Training, EC 2006: 241).

surveyed universities confirmed using ICLHE courses as a supplementary internationalisation diploma certification in accordance with the Bologna Declaration.

Educational initiatives to promote internationalisation set forth by MUIR for Italian universities under the Gelmini Reform (Law 240, 2010) include: promoting student mobility, cross-border and international university agreements and the teaching of academic subjects in a foreign language. Presently, among the many university courses offered in FLs, courses taught in English are by far the most numerous.

Data published by the Conference of Italian University chancellors, Fondazione CRUI, Conferenza dei Rettori delle Università Italiane, in academic year 2011-2012, also shows a strong preference at tertiary level for courses in English as opposed to those taught in French. A total of 671 courses in a variety of academic subjects were offered in English, only a few in French. Among these, 3% of the initiatives involve bachelor degree students and 60% are masters and doctorate degree students (Fondazione CRUI 2012). Fondazione CRUI interprets these findings in terms of degree of specialization of academic knowledge: the higher the level of specialization, the higher the demand for content courses taught in an FL.

The report also informs that in Italy more English as medium of instruction courses are taught in large cities (Milano, Torino, Bologna, Rome), than in smaller urban centres. Likewise, more courses are offered in the developed, industrial north than in the impoverished, rural south (Fondazione CRUI 2011: 1).

In regards to law studies, the report indicates that of a total of 671 courses taught in English in 2011/12, 4.92% or 33 were law courses. Of these, only one course was taught in French. In the report, the legal studies sector included bachelor, master, LLM and doctorate courses (see Chapter 1, §3.3). Among disciplinary sectors, the most numerous courses were in economics, business administration and engineering.

The Fondazione CRUI study also states that courses taught in English at university fulfil two Bologna agreement objectives: (a) *multiculturalism*, described in the report as the capacity to relate and effectively interact within different historic, behavioural and scientific/academic traditions; and, (b) *plurilingualism*, described as the capacity to function within different linguistic codes in a wide range of communicative situations (local, national, international) warranting a profound understanding and integration of a variety of socio-cultural realities (translation mine).

The R3 Department of Law, in the recently published MIUR 2013, Regolamento di Ateneo per le Scienze Giuridiche, laid down the following provisions for teaching-learning language:

- (a) With the exception of optional courses offered in French and German, the English for Legal Studies course is mandatory for all students in the Department of Law (4 ECTS⁵).
- (b) The required level to participate in the English for Legal Studies course is established at CEFR (2001) B1 level;
- (c) Students whose level of English is lower than CEFR (2001) B1 must take one or several courses at the *Centro Linguistico d'Ateneo* (University Centre for the Study of Languages) to obtain B1 certification.

Alternative ways to be eligible for 4 ECTS in English for Legal Studies are two:

- (a) Study abroad period, through enrollment in a foreign university in which curricular LE courses (minimum period of six months) are offered;
- (b) Research in a foreign university for the purposes of completing the final thesis to obtain a degree in law (Laurea Magistrale in Giurisprudenza), in which curricular LE (or AL) courses are offered.

The next and final section in this chapter addresses policy within the perspective of new directions for general and language education.

5.3. New horizons.

Green (2006: 197) sustains that education is one of the key players in the globalization movement: “[t]he scope for education is to act as a socially integrative force.” Globalization is for cultural theory scholars a way for local cultures to find expression in the world arena, affording all, including less well known cultures, a way for obtaining visibility and for

⁵ See Supplementary Documents, # 1 - Abbreviations.

“enhancing the opportunities for common discourse” (ibid: 197). Rizvi & Lingard (2006: 251) add that globalization has caused shifts in conceptions about the world and consequently about education. These conceptions resonate with higher education institutions which see the need to move in the direction of developing an alternative curricula that enhances “the development of new skills, attitudes” and a renewed knowledge base that encourages new approaches to learning and reformed approaches to teaching. For the authors, embedded within reformed views lies “a rationale which fosters an integrative international/intercultural and multilingual dimension to education” (ibid: 257).

Barnett & Coate (2005: 2) argue that “curricula in the twenty-first century should be understood and deliberately designed to be engaging for students.” Underlying this notion is the assumption that for a curriculum to do so, teaching-learning requires the aligning of students’ needs, methods, materials and policy in a congruent manner (Hounsell et al., 2005; Anderson & Hounsell 2007). Such conceptualization involves designs that are flexible enough to provide a renewed approach to learning and transferable competences necessary to operate in settings affected by globalization and internationalisation (Beacco & Byram 2007).

Council of Europe (COE, 2006: 17) plurilingualism policies look to provide “the necessary conditions for mobility for work and leisure purposes in multilingual Europe, where the plurilingualism of the workforce is a crucial part of human capital in a global economy.” Such competences are needed for “ensuring participation in democratic processes in multilingual national and international contexts” [...] particularly today “in an information and learning society where access to and [...] management of knowledge and learning” play a key role in social integration, economic entrepreneurship and innovation (ibid: 17).

Beacco and Byram’s (2007) *Guide for the Development of Language Education Policies in Europe* provides instruments for structuring future actions that “take the form of evaluation by Member States, with the assistance of the Council of Europe (Language Policy Division), of their policy on managing languages in their education system” (ibid: 108-109). One of the key objectives of The Guide is to raise stakeholders’ awareness of the imperative need to train language teachers for a demanding task such as preparing learners to develop intercultural and sociolinguistics competences (ibid: 77). In parallel, the objective of teacher training is to stimulate, manage and evaluate pedagogical innovation through “collective creativity in administration, the definition of products (curriculum and syllabus design),” as well as ways of teaching and organizing courses (ibid 84). This requires that teachers prepare

their own linguistic repertoires by structuring a variety of teaching paths, introducing different teaching formats and linguistic varieties and alternating among types of T&L such as face-to-face classroom and self-directed learning (ibid: 84).

The development of a common strategic framework for European cooperation in education and training reported in the Council of the European Union (CEU, May 2009: 2) conclusions, with a view to Education and Training for 2020 ('ET 2020'), has as its primary goal that of "supporting the improvement of national education and training systems [...] to be done through the development of complementary EU-level tools, mutual learning and the exchange of good practice" by means of a new coordination approach. Moreover, the strategic objectives set out in the CEU conclusions are, to engender creativity as a primary source of education and training innovative practices, to create partnerships between private and public sectors and to enlarge learning communities so as to include a broader community of stakeholders for the purpose of promoting a "climate conducive to creativity and better reconciling [of] professional and social needs" (ibid: 4).

Language is presently a central policy focus in the EU. According to the European Commission (EC 2012: 5), "In a world of frequent international exchanges, the ability to speak foreign languages is a factor for competitiveness." Languages are important [...] to increase levels of employability and mobility [...] and poor language skills are a major obstacle to the free movement of workers" (EC ibid: 5).

This new rationale affects teachers and teaching. For Romano (2007: 12), "teacher training has been an important component of European co-operation in education [...] owing to the place they occupy and the role they play in educational systems." The author (ibid: 17) argues that teachers are supposed to be "at the front line in meeting these challenges" and that they "will have to gear the contents of their courses to the needs of the information society" with a particular focus "on the basic skills learners will need in order to be active citizens and successful workers in that society."

Byram (2008) claims that internationalisation in higher education puts a premium on teaching and teachers to address the upgrading of their professional work with a view to shifting die-hard conceptualizations of teaching from the traditional, to a radical overhauling of standing methodologies and renewed reflection on new kinds of integrative models at university that require not merely teaching a discipline in a foreign language but also adding cognitive and cultural 'knowing that' and 'knowing how' pedagogy. This calls for a "strong

action to support new approaches to teaching and learning” (EC 2012: 11) and to raise the standards of teaching particularly in higher education “initiating for the first time a debate at EU level with relevant stakeholders on the benefits of investment in different education and training sectors” in higher education by re-training and re-skilling European teachers (EC *ibid*: 16).

The Council of the European Union (CEU 2009: 4) concludes that “to enhance creativity and innovation, including entrepreneurship, at all levels of education and training [...] a first challenge is to promote the acquisition by all citizens of transversal key competences such as digital competence, learning to learn, a sense of initiative and entrepreneurship, and cultural awareness.” In parallel, a “second challenge is to ensure a fully functioning knowledge triangle of education-research-innovation” (CEU *ibid*: 4). Teachers also need to diversify their teaching methods to meet increasingly diverse learning needs beyond the nation state (Costanzo 2003; Byram 2008: 197). This entails acquiring and continuously updating their practice (skills, content knowledge, information technologies).

Finally, teachers, at the centre of innovation and future horizons, need to view their professional development as a lifelong learning experience of "self-analysis and self-evaluation and to make fundamental contributions to both professional and research communities” (Coyle 2010b: foreword viii). Integrative pedagogies such as CLIL are situated at the forefront of educational policies that place ‘quality teaching for quality learning’ at local, national and regional levels in Europe as prime priorities.

The next chapter addresses the methodology adopted in this case study.

CHAPTER 3

METHODOLOGY

1. INTRODUCTION.

This chapter examines the body of data submitted and actions taken in this case study to investigate students' and teachers' perceptions of experiences. Data were collected in four courses, mostly in academic year 2008-2009, the third year of launching of the SLR3 programme (Chapter 1, §3.3).

Initial and final main and subsidiary research questions are addressed in the section below.

1.1. Initial, main and subsidiary questions.

The study's initial main research question included two key themes, expectations and perceptions:

What are students' expectations and perceptions about engaging in a law programme taught in English at an Italian university?

Subsequently, two important case study changes were made affecting the initial question and the study population. To achieve a more focused perspective, it was considered best to concentrate exclusively on what SLR3 participants' made of their perceptions of experiences rather than comparing expectations with perceptions. As a result, one of the two initial themes, 'expectations,' was set aside. The population sample, which at first was to be restricted to students, was instead extended to include both students and teachers. The decision to set aside 'expectations' and to enlarge the sample population provided the study

with two sets of thick data on *how* those involved experienced the new programme from which to draw generalizations in the concluding phase. Examining four courses separately, rather than the entire programme as a single entity, provided a broader, more complex set of realities that helped fine-tune the processing of the data, making the data analysis phase of describing, explaining, verifying findings and drawing conclusions more manageable (see §4 below).

In terms of data collection, three tools were selected: questionnaires, interviews and observations, supplemented by field notes, memos and a daily/weekly log. Questionnaires constituted the ‘counting’ of the repertoire of data from teachers, students, courses and the programme. Interviews constituted the ‘voices’ of the study and the main data collection instrument. Observations constituted the “eyes” on the classroom, allowing the observer to directly capture important pieces of data not readily obtained by any other means. The shift in focus from students’ expectations and perceptions to teachers’ and students’ perceptions is coherent with the objective of the research which is to examine the SLR3 methodology in light of one of its formidable rival approaches, CLIL, which has received wide support from teachers and researchers throughout Europe for a number of years, particularly in settings where teaching and learning in a foreign language is done in culturally and linguistically diverse realities. The shift in focus also resulted in changes to the main and two subsidiary research questions as follows:

Main question

What are students’ and teachers’ perceptions about the experience of engaging in a law programme taught in English at an Italian university?

Subsidiary questions:

What are students’ perceptions about studying law subjects taught in English?

What are teachers’ perceptions about teaching law subjects in English?

Section 1.2 addresses issues and principles pertaining to the warrants made in this project in regards to ethics.

1.2. Ethical considerations.

In cases where the research is carried out in the researcher's own workplace, ethical considerations need to be addressed and the role taken needs to be clearly stated (Stake 1995: 95-96). In this case study, the role taken as researcher was that of an 'evaluator' interested in learning about the new programme in which law courses are being taught in English. From the start, a commitment to abide by ethical standards of confidentiality in regards to protecting data gathered, in particular sensitive data, was embraced. As observer, the role taken was that of the 'outsider looking in' on the programme and the class.

The data submitted in this case provides figures (questionnaires), participant testimony (interviews) and classroom activities, approaches to T&L and course organization (observations). An important ethical consideration in this study regarding the insider-outsider dichotomy was to make my role and my adherence to ethical standards explicit in light of my position as teacher in the Department of Law and researcher at the Department of Linguistics at the time of field work. From the very beginning, I stated my commitment towards respecting colleagues' and students' privacy. Teacher confidentiality was assured in mini presentations of the case to each colleague before entering the field. Responsibility was also taken to clarify eventual misinterpretations that emerged during data gathering. If I was unable to understand the meaning of a recording, observation note or legal concept, I asked for clarification. The purpose of this was confirmatory, i.e., to ensure the veracity of the data at hand (e.g., clarifying points of law, legal terminology) and avoid personal interpretations.

Before handing out questionnaires in each course, I provided a brief but complete oral presentation on goals, methods and organization of the project. The questionnaires contained a short but complete introduction to the project (Appendix 3). Before each interview, all students were asked to sign informed consent forms, co-signed by student and researcher. The consent forms included an explanation of the project informing participants that study findings were expected to contribute in a significant way to language education beyond the Italian context (Appendix 4).

Recruitment was, with no exception, carried out with the consent of the parties. In addition to stating case study steps and goals and to illustrating ways to secure respondents' anonymity, the documents handed out (interview, purpose summary, questionnaires) informed

participants that data would not be directly identifiable in cases where delicate testimony was provided regarding programme, teaching, course teacher(s). The consent form agreement stated that opinions shared with the researcher during the interview referring directly to a particular person in a negative and identifiable manner would not be published without the respondents' approval.

Furthermore, fieldwork was carried out as unobtrusively as possible. Observations were done in a non-participative manner – I observed and took notes as the activities unfolded. I always sat at the front of the class, not among the students. Interviews and informal conversations were conducted in an affable setting – interviewees were made to feel comfortable and positive about contributing to the study. Participants were also aware that I was available for clarification about the research. To avoid 'going native' I took advice from Delamont (2002) and chose to be discrete while in the field gathering data and writing, given that I was observing my colleagues and their classrooms. The advice was useful in consideration of the fact that I am a Department of Law insider even though SLR3 enrollees are in most cases not the same as those who enrol in my course. Lack of consideration of the above issues would have compromised the ethical standards of the study.

1.3. Gaining access.

Measures were taken to ensure the research was formally accepted and consent was given freely by the dean of the Department of Law and by the SLR3 community. Permission to carry out the research was approved by the dean of the Department of Law. Permission to observe, interview and hand out questionnaires for research purposes in each of the four courses was requested to each teacher individually (see §1.2 above).

1.4. Summary of data gathering activities.

Data collection took place principally in academic year 2008-2009 with the exception of semi-formal conversations with teachers which took place in 2010-2011. Table 3.1 provides a summary of all the actions taken in this case study. The Table illustrates three types of data gathering approaches: questionnaires, interviews and observations. For each, a corresponding pilot was set up (see §2 below).

Table 3.1. Summary of research actions.

Events/research tools	2008-09	2010-2011	Total
Department of Law Dean consent (written)/ teachers in four courses (oral)	1+ 4		5
Course selection. Contact with teachers	4		4
Questionnaires - pilot	2		2
Student profiles	67		67
Questionnaires main study	67		67
Interview consent form -students	34		34
Interviews students - pilot	2		2
Interviews students - main	34		34
Inter-coder reliability test / 2 experts	2		2
Interviews teachers	4	1	5
Semi-formal conversations teachers		3	3
Observations – pilot	2		2
Observations – main	12		12

Additional actions consisted in semi-formal conversations with teachers, coding reliability testing, elaboration of two types of student profiles, and request for permission to carry out research in SLR3.

At the onset, two decisions needed to be made about how to organize the data and what to do with them. Researchers are forewarned by the literature on how data get out of hand making it difficult to process them as the study progresses (Delamont 2002; Bailey 2007). In consideration of this, data were initially managed manually but later digitally with QSR International NVivo software. Surpassing the use of paper and file cabinet storing proved advantageous. Moreover, a decision needed to be made as to whether to audio/video record observations or take notes. I opted for note-taking and developed a good system (observation scheme) for accomplishing the task. To facilitate understanding, notes were supplemented with extracts from the materials used in lessons observed, to add contextual clues to substantive law content during note taking.

Initially, the pilot observations were a surprise for the nature and complexity of the subjects dealt with in class. To build my understanding of the subjects, I made the decision to read, where possible, the materials to be used for each lesson in advance (e.g., law reports, encyclopaedia entries, judgments). This proved effective: it helped develop my own knowledge base regarding the principal subjects taught in each of the four courses. What I learnt from this experience is that the quality of observations is enhanced if the content is well understood.

In the next section, trustworthiness of the study is addressed.

1.5. Trustworthiness.

The beliefs which served as backdrop for actions taken in this case study are framed within qualitative-quantitative interpretive paradigms considered appropriate to unveil truth and value of relationships among participants as well as perceptions about SLR3. In qualitative inquiry, the value of the study is often referred to as trustworthiness (e.g. Lincoln and Guba 1985). It consists in documenting and explaining the way in which the researcher arrived at the conclusions made (Bailey 2007: 184). Trustworthiness is best examined by breaking it down into four distinct sub-areas: credibility (§1.5.1), transferability, (§1.5.2), dependability (§1.5.3) and confirmability (§1.5.4).

1.5.1. Credibility.

The most frequently used approach to ensure credibility is triangulation. The rationale is that one method alone is not enough to ensure thick, all inclusive and well-grounded data.⁶ In this case study, triangulation included, as mentioned above, the comparison of data gathered from interviews, questionnaires and observations. To create an additional trace of the steps made throughout the study, data collection was supplemented with researcher-generated memos, field notes and a monthly log to record research events and keep a trace of actions taken.

Other actions included: (a) providing detailed research descriptors sufficiently rich to represent the realities of SLR3 for the reader seeking transferability or the auditor seeking to verify credibility (Miles & Huberman 1994; Lincoln & Guba 1985); (b) bringing into conceptual proximity participants' perspectives along with illustrations on how things developed as the study progressed. Chapters 4 and 5 provide excerpts from student and teacher interviews for the purpose of combining participants' voices with explanations portraying the 'life' of the setting for the reader; (c) illustrating study findings (Chapter 6, §2, §3, §4); and, (d) converging of the conclusion (Chapter 6, §5).

1.5.2. Transferability.

This standard consists in "showing that the findings have applicability in other contexts" (Crabtree 2006). It allows the researcher to draw generalizations from the context researched to other contexts (Lincoln & Guba 1985: 297). It requires accumulating enough evidence to render the contexts comparable (ibid: 298), i.e., giving a sufficiently complete description of a phenomenon for assessing whether conclusions can be transferred to other contexts. In this case study, sufficient details of the SLR3 setting are given throughout the study; in particular, Chapter 1 (§3-§7), this chapter (§3, §4, §5), Chapters 4 (§3, §4, §5) and Chapter 5 (§2, §3).

Data gathering was carried out with the use of three tools (see §1.4 above). The questionnaire was initially adapted from formats developed by Hounsell et al. (2005) at the University of Edinburgh (full details of sources and items used in the main study are provided

⁶ Qualitative Research Guidelines Project. Robert Wood Johnson foundation.
Site: <http://www.qualres.org/HomeTria-3692.html>.

in §3.5.1 below). Questionnaires were tested in the pilot project with two students who not only had a good ‘sense’ of objectives and teaching in SLR3, but who were also familiar with case study aims. Their contribution provided a critical outlook from which changes were made to optimize project goals. Interview questions were built from the initial data and then tested with the same two pilot students. The purpose was to find inconsistencies between research and interview questions. It also served the double purpose of making the protocols clear enough for replication in other studies. In addition, two pilot observations were made (§2.3 below). The objective was to understand *what* and *how* to observe. The first course of action, once the pilot observations were completed, was to develop a final observation scheme for data gathering in the main study (Table 3.6, §3.5.3 below).

Cohen et al. (2000: 109) claim that the transferability of a project is measured by “the degree to which the results are generalised to the wider population, cases or situations.” To secure transferability, methods adopted in this study are grounded on sound research principles (e.g., Lincoln & Guba 1985; Creswell 2005), the examination of similar studies (Chapter 2, §3) such as the three projects compared for the Ed. D research proposal (approved in 2008) in the field of ESP: a) the Cowling (2006) project, an ESP case study researched in a leading Japanese company on teaching learners to develop language skills adapted to work situations; b) the Toulouse project, another ESP case that studied the needs of English for Economics at university (Teillefer 2006); and, c) the Tel Aviv project, an EALP study that examined global and individual needs of students in law school (Deutch 2003).

Transferability was also secured by the choice of topic, perceptions of experience about engaging in a university law course with a mixed local/international population, a topic that has potential for contributing to the existing body of knowledge in the areas of LSP and ESP.

To summarize, the description of the original sample of persons and courses is clearly and fully described to permit adequate comparisons with other samples. Transferability tests (Miles & Huberman (1994: 279) to establish quality were four. First, the characteristics of the sample of persons, courses are well described. Second, to compensate for threats to generalizability, some aspects of the sample such as participant selection, characteristics of the setting and data analysis are made explicit (§3.1, §3.2, §3.3, §3.4, §4 below). Third, to ensure case transferability, boundaries of the case were also made explicit (Chapter 1, §3, §7). Fourth, sufficient thick descriptions of the case are provided in Chapters 4 and 5. Fifth,

findings are congruent with theory in the areas of LSP, ESP and policy (Chapter 2, §2, §3, §5).

The transferable Language and Learning theories that support the study were made explicit by including, in Chapter 2, a current theory of general and language education, constructivism (§4.1) along with socio-cultural theory (§4.2), CLIL 4Cs theory (§4.3), a theoretical framework of language proficiency (§4.4) and a theory of learning through dialogic inquiry (§4.5).

Well demarked traces of the protocols and study boundary demarcation, respondent choices and answers, coherence between research question, design and course objectives were the foundations upon which transferability of this study was built.

1.5.3. Dependability.

Dependability of a study shows “that the findings are consistent and could be repeated” (Crabtree 2006). To secure dependability I explained the paradigm, i.e., case study along with the reasons for choosing this kind of design (Chapter 1, §6) for the purpose of explicitly establishing a connection between quantitative-qualitative paradigms, analytic constructs and theory (Chapter 2, §4). The data were collected consistently in four courses. In each course, 3 observations; 7-10 student interviews; 1 or 2 interviews with each teacher and in Course 2, two interviews with each teacher, senior and junior (§3.3 below) were conducted. The data submitted were checked for possible bias or informant knowledge. To ensure dependability of the coding procedure, two R3 colleagues (§3.5.2 below) were tested using the inter-coder reliability testing (IRT). The research questions were clearly articulated and formulated (Chapter 1, §5) in accordance with the research design (Chapter 1, §6).

1.5.4. Confirmability.

Confirmability is defined as “relative neutrality, freedom from unacknowledged researcher bias, explicitness about inevitable bias” (Miles & Huberman 1994: 278). To secure study confirmability the authors recommend giving explicit and detailed accounts of the research

methods and procedures employed. The measures taken in this study to secure confirmability consisted in providing a holistic, complete and detailed account of the study and its front and backstage features, where needed (see Chapter 4, §4, §5; Chapter 5, §2, §3), together with a description of case design and data gathering procedures (Chapter 1, §6; Chapter 3, §1, §2, §3).

The sequences of data gathering and analysis for the purpose of drawing conclusions are provided in §3 and §4 below. The data submitted are presented, explained and findings reported in Chapters 4 and 5. Awareness of personal assumptions, value judgments, bias and how these have been dealt with and study limitations are made explicit throughout the study and in particular in this chapter (§1.2, §5).

Rival studies were considered (Chapter 2, §3.2) that confirmed the proper theoretical perspective taken in this case study. Where the evidence submitted appeared contradictory and the theories used to explain the data were insufficient (e.g. EMI approach) due to lack of scope to accommodate a full explanation of the data, an additional rival methodology and theory was considered (CLIL, 4Cs Theory). The rationale taken is that if the study were to insufficiently explain the data with a single theory, a more powerful theory needs to be taken on board. The theoretical foundations of the study are made explicit in five subsections (Chapter 2, §4.1-§4.5).

To sum, the comparisons made between two methodologies and the consideration of a complex set of theories and models compounded with a sufficiently wide in scope set of explanations of data and findings have resulted in a compelling and robust conclusion sufficient to ensure study confirmability.

The section below gives details on the pilot project.

2. PILOT PROJECT.

Wilson & Sapford (2006) claim that one of the objectives of a pilot is to develop a codification system that comprehensively covers participant responses to answer the main and subsidiary research questions. In this study, two graduate students from the Department of Law who had taken a SLR3 course, and were therefore familiar with the programme, were selected to test the questionnaire and interview questions.

Sections 2.1-2.3 below give details on how the pilot was organized along with its objectives, protocols and lessons learned.

2.1. Checking the questionnaires.

The pilot questionnaire form included an introduction to the research (Part I). To provide information and a sense of the importance of respondents' contributions to the study, 45 questions were asked in English, not in the participants' MT, which made the likelihood of wrong interpretations possible. The two students met the requirements needed, i.e., a good command of the English language and familiarity with the programme. They were encouraged to make as many comments on questions (clarity, content) they deemed necessary with a view to improving the research tool. Notes were taken of the points made by the two pilot students regarding what to keep, what to abridge and what to drop. The model used for the pilot questionnaire (with adaptations made for this SLR3 pilot), although fit for a very different purpose in this study than the original questionnaires, originated from questions written for the ELT Project (2002) carried out by the Universities of Edinburgh, Durham and Coventry, named ETLQ and CETLQ. The pilot forms used in this study include, in the body of the questionnaire, a full reference to the source used in the SLR3 pilot questionnaires. Changes made to the introductory section of the pilot questionnaire are reported below:

I. Introduction:

- The sentence, *This project is the only one at university level, and this questionnaire is the first I have asked students to complete*, was considered irrelevant and removed;
- The sentences, *As researcher, I am personally committed to guaranteeing your anonymity. My overall findings (but none of your individual answers) will be used for the purpose of this research project* were removed because they limited the use of gathered data for this study which defeats the purpose of the study;
- In the section on Data Protection Laws, the initial sentences, *If you have not already done this, please complete the following declaration. If you have, start the Background information section*, were considered unnecessary and removed;

- The total number of questions in this pilot, were reduced from 45 to 40 in the main study questionnaire (Appendix 3).

An almost complete set of questionnaire questions was initially developed for the main questionnaire related specifically to this case study. However, it was useful to count on the two ELT questionnaires as initial models for testing and making the right case-related choices regarding what to include in the main questionnaire. Hence, of the 45 questions in the pilot questionnaire, only a few ELT questionnaire questions were used in the main questionnaire and only two of these in the data analysis (§3.5.1 below). Further information on the pilot questionnaire questions is found in Appendix 5.

2.2. Checking the interviews.

Interviews constitute the main source of data in this study. The pilot interview set out to ‘test’ the questions to be asked in the main study interviews. Researchers are forewarned about types of interview and the choices that need to be made to obtain information that efficiently connects interview and research questions (Simpson & Tuson 1995; Gilham 2000). Appendix 6 shows how the main interview questions were elaborated from the pilot interviews.

Based on the many reported experiences and choices of interview formats in the literature (Munn & Dever 1995; Simpson & Tuson 1995; Gillham 2000; Kvale 2007), I concluded that as long as interviewing follows a chronological and thematic logic such that one question leads to another smoothly as in a conversation, the semi-structured interview was a viable way, leading from interview question to the analysis of interviewee responses. It gives allowance to investigating more specifically, when an interesting subject opens up new, unexpected issues. In addition, for case studies, the semi-structured interview affords the researcher the chance to ask out-of-script questions to single participants about a specific matter or topics of particular interest to the case study.

2.3. Checking the observations.

An observation pilot was held in Courses 1 and 2, the first two courses in which data were gathered. The pilot observations were informed prevalently by Simpson & Tuson (1995). The purpose of observations was to find the themes and categories related to activities taking place in the courses from direct language and live experiences. The points of interest identified from the pilot observations (Courses 1 and 2) were principally differences in teaching (e.g. method, course design), learning (e.g. strategies) and language issues (e.g. interaction, engagement, proficiency levels). For these two pilot observations, a scheme was developed of items to observe from which to generate language and learning categories. In the initial scheme, two themes and related categories were included.

Table 3.2. Pilot observation scheme.

Themes	Observation categories
1. Legal English (activities involving language)	<ul style="list-style-type: none">• Uses of legal terms/general purpose language• Dialogic interaction (plenary debates, Socratic dialogue)• Monologic interaction (presentations)
2. T&L - subject matter	<ul style="list-style-type: none">• Instruction• Feedback• Rewards• Asking questions
3. T&L - advocacy skills practice	<ul style="list-style-type: none">• Well/poorly prepared classroom activity• Good/bad language skills• Cold/anticipated calling• Mock trial
4. Teaching approaches	<ul style="list-style-type: none">• Traditional• Learner-centred• Blend• Materials (use of visual devices such as board, power-point etc.)

The themes and categories above are representative of what I saw taking place during observations in Courses 1 and 2. Although in this research the most important tool is the interview, invaluable information has also been obtained from observations. A display and discussion of the final observation scheme in the main study is reported in §3.5.3 below.

2.4. Lessons learned.

The pilot questionnaire was instrumental for measuring students' responses. The principal 'queries' were: (1) to test students' reactions to developing two main themes, *expectations* and *perceptions of experiences*; (2) to subdivide the two themes into four sets of response categories: *Legal English general*, *Legal English skills*, *Personal growth* and *Teaching and Learning*; (3) to develop a set of questions for each theme and to cover as broad a range of anticipated responses as possible; (4) to find out whether both the initial explanation of the project and the structure (sections and subsections) were coherent or confusing; (5) to assess whether difficult questions existed, and if so, to eliminate or edit them (e.g. questions that 'struck' students as being out of place were eliminated); and, (6) to assess the level of satisfaction with the form as a whole.

What was learnt from pilot interviews was the need to maximize the congruence between case study objectives and the interview questions to best answer the research questions. Interviews allowed me to gather thick descriptions of what is really taking place in class in terms of problems the participants encountered, e.g., ways of dealing with and reacting to course demands, the strategies they applied, their views on teaching, teachers, subjects and the programme. The pilot interview was also a way to gauge students' enthusiasm or discomfort, i.e., their perceived engagement. The type of interview to use was also important. The matter centred around three choices: unstructured, semi-structured or structured typologies. I opted for semi-structured interviews based on course design, research questions and suggestions from the literature (Simpson & Tuson 1995; Gillham 2000) (see §2.2 above).

A few discoveries regarding the lack of a coherent sequence of pilot interview questions was noticed: (1) a pilot question was asked of respondents' about their English language background without first asking them about their backgrounds in general; (2) another question addressed difficulties related to speaking English before asking them about their perceptions in regards to concrete problems encountered (e.g. preparing for a public presentation); (3) pilot question 11, *Can you make any other comments related to language that I have not mentioned?*, was too wordy for a final question from which I got 'no' answers. The use of probes to accelerate the pace of the interview was also found useful, particularly where the pace was too slow. Probing was done by: (a) asking for clarification; (b) getting the

respondent to explain what was meant in simpler words; (c) mentioning that more comments about an issue or topic are welcome; (d) requesting the respondent to elaborate on the interpretation of the question to test understanding; and, (e) asking the respondent to give examples.

Pilot observations made me aware of the need to observe teachers as well as students. For this, I extended the scope of my initial plan to include both. Both pilot observations were based on a flexibly devised scheme, congruent with the main objective, which was to explore the themes and categories needed to establish units of data to later include in all 12 main study observations. From these two pilot observations it became clear that I needed to know more about the subjects and the dynamics of the participants. Some subjects were at first difficult to understand even though they were taught in my native language. These two observations made the curriculum designs in each course ‘visible’ and the underlying structures ‘accessible.’ Students engaged in standard activities such as presentations followed by questions and lectures and specialized activities that required the use of culture-related legal artefacts such as the Socratic dialogue. It was also interesting to observe how students worked, i.e., individually, in pairs and groups. It was through observations that I was first able to assess the impact of students’ differences in proficiency (ranging from low to MT), students’ response to class activities (e.g. silence versus engagement) and the diversity of teaching approaches. These varied from scholar-academic with tutored interaction versus learner-centred with tutored and untutored interaction. Pilot observations made evident the need to redo the observation scheme, to rationalize about each of the items to observe and to avoid observations from becoming inoperable.

To summarize, the pilot project made it possible to refine the research tools and to obtain the necessary information needed to carry out the main study. For instance, at first I found some of the subjects taught incomprehensible, however, rich data from interviews and classroom observations compounded with questionnaire data became invaluable sources from which to build my own knowledge. After carrying out two pilots (October 2008) for each research tool, 67 questionnaires were handed out to students at the start of each lesson in the middle of the semester: Course 1 (11.08), Course 2 (11.08), Course 3 (4.09)⁷, Course 4

⁷ Course 3 consent was negotiated in the first semester. This was the third teacher contacted and it was at this point that the course was named. Data gathering for this course, however, began in April 2009. A decision to re-name the course was considered unnecessary in lieu of the fact that the course was held in the same academic year as the other three.

(11.08). A few absent students turned-in their completed forms a few days later which were accepted. A total of 34 student interviews were carried out starting the week after the questionnaires were gathered (2008-2009). A total of eight interviews were carried out with five teachers. Three were interviewed twice because more information was needed to complete their interviews. A total of 12 lessons were observed in four courses. I remained in the classroom for the entire duration of each lesson, making notes as the lessons unfolded (see §3.5.3 below).

The next section addresses issues related to data gathering for the main study.

3. MAIN STUDY DATA COLLECTION.

The pilot project was instrumental for gaining experience and reflecting on ways to optimize the research tools to reach the objective of answering the study research questions. The section below addresses sampling rationale and procedures.

3.1. Sampling.

In this study, both quota and opportunity sampling were employed. Once questionnaires were collected, the next step was to interview at least one third of the student population. Students were selected randomly from lists provided by teachers in each course. Without exceptions, those selected agreed to participate in the project. Also the teachers all expressed their willingness to participate in the study. The selection criteria for participants in this study was purposive, based on Lincoln & Guba's (1985: 202) suggestions that "naturalistic sampling is [...] very different from conventional sampling. It is based on informational, not statistical, considerations. Its purpose is to maximize information, not facilitate generalization."

In this study, participants were approached according to quota and opportunity sampling, based on Schofield (2006: 30). This sampling "includes (at its most sophisticated end) quota sampling and (at its least sophisticated) what is sometimes called 'opportunity' sampling: the simple expedient of having as participants whoever is available and willing."

Opportunity sampling took the form of students voluntarily asking, and being accepted, to take part in the study.

As far as questionnaires are concerned, these were handed out to all students in each of the four courses. The objective was to obtain, at least with one of the three tools, a comprehensive, global picture of students' perceptions from which to develop initial themes and categories. The choice of courses was based on having as representative a sample as possible as was useful for the project, but no more. All three courses held in the autumn semester were included in the study. The last course, held in the spring semester, was an instrumental choice: the course is known for its highly skills-oriented, interactive approach which was deemed interesting and useful for this case study.

In total, 34 students were interviewed. The quota sampling foresaw from 20-25 interviewees circa. The addition of 9 more interviewees was culturally-based. Nine of the students selected for interviews at random, each brought along with them a colleague attending the same course who was interested in being interviewed. I considered their contributions potentially useful and the students were accepted (see also §3.4 below).

The next section deals with SLR3 courses.

3.2. The courses.

SLR3 law courses are taught twice or three times a week for a total of 70 hours in the course of one semester, autumn or spring. These are international law school courses characterized by subjects taught in English to a mixed student population with diverse educational, cultural, legal and language backgrounds, sharing a common foreign language in which to communicate. The courses are classified here, based on the literature, as international university law courses taught in EMI as described in Chapter 2, §3.1.

Most of the data for this case study were gathered during academic year 2008-2009 except for follow-up semi-formal conversations with the senior and junior teachers in Course 2 and the teacher in Course 3 in 2010-2011. The number of courses and the rationale for choices made were as follows. Six courses were offered in academic year 2008-2009, three in the autumn and three in the spring. In the autumn semester, all three courses offered participated in this research. In the spring semester, only one of three courses was included in

the study. In this latter semester, the choice of Course 3 was made after carefully assessing reasons in favour or against inclusion (see §3.1 above). Of interest to this case study was the subject (international contracts) and the curriculum, in line with the courses taught in the autumn semester (legal system comparisons, company and European law). The other two spring courses - international law and law and humanities - were not included for the following reasons: the former because although it is coordinated by the dean of the Department, it is taught mainly by visiting professors and experts from around the world who take turns teaching one or two lessons each. This made it difficult to schedule interviews and observations. The latter course was excluded because of the subject matter, law and humanities. After sitting in the course once, I found it differed considerably from the autumn semester courses due to its prevalent focus on the historical aspects of the law and the ways in which the discipline is portrayed in literature, music and drama, rather than on substantive law and procedure as the other courses selected.

3.3. The teachers.

Two out of four SLR3 courses, i.e., Course 1, Course 4, are each taught by a single teacher. Course 2 is taught by two ('senior' and 'junior' teachers). The word 'senior' and 'junior' illustrates the distinction within the Italian university system between 'full' professorship (i.e., tenured professor; Italian: 'professore ordinario') in the case of the Course 2 senior teacher and 'full' lectureship (i.e., tenured lecturer; Italian: 'professore aggiunto') in the case of the Course 2 junior teacher. In the Italian university system, the word 'full' means staff who have obtained tenured positions after having passed a national competitive examination. Once tenure is official, professors and lecturers cannot be expelled from the university except in exceptional cases. Promotion to full professorship is based on publications in the disciplinary area and on playing a key role at the university, to mention two main requirements. Obtaining tenure takes a number of years, hence the distinction I have made between 'senior' more experienced teacher and 'junior' less experienced teacher.

Course 1 and Course 4 were taught by two tenured professors. In Course 2, the junior teacher was responsible for teaching specific parts of the course (e.g., organizing the Socratic dialogue session), and for advising on course requirements and subject matter issues, while

the senior teacher (tenured professor) was officially in charge of the course. In Course 3, the teacher was a tenured lecturer who taught the course singly, although a senior teacher (tenured professor) was ‘officially’ but not *de facto* responsible for the course at the time of data gathering. In other words, in Course 3 the responsibility for teaching the course was delegated from the senior to the junior teacher.

SLR3 teachers are all Italian native speakers (INS or INSs) with the exception of the Course 3 junior teacher. Observations and interviews in the four courses allowed me to classify teachers’ language backgrounds as follows:

- (a) in Course 1, the teacher is an INS and non-NEST;
- (b) in Course 2, the senior teacher is an INS and near-NEST;
the junior teacher is also an INS and near-NEST;
- (c) in Course 3, the junior teacher is a NEST;
- (d) in Course 4, the senior teacher is an INS and non-NEST.

This classification is useful for the study because of the role language plays in SLR3. The following section introduces the SLR3 student population.

3.4. The students.

Before handing the questionnaires, general information about the research objectives and the form were given to students in all four courses. In the first part of the questionnaire, spaces were provided for students to fill out basic demographic data from which to develop a respondents’ profile (Appendix 7). The data gathered were: name/surname, country of origin, institution of origin, gender, age, year of study, course enrolment. As illustrated in Table 3.3 below, 67 student profiles were gathered (classified as Italian and international). The Italian and international student population numbers are displayed. The table indicates, comparing the four courses in terms of Italian-international distributions, that Course 2 outnumbers the other three courses with the largest international student population.

Table 3.3. Courses 1-4. Italian - international student distribution.

Courses	Italian students	International students	Total
Course 1	11	5	16
Course 2	6	8	14
Course 3	10	4	14
Course 4	19	4	23
Total	46	21	67

This is followed closely by the second largest international student population in Course 1. By contrast, in Courses 3 and 4, Italian students by far outnumbered international students.

Table 3.4 shows the total number of students who participated in interviews and questionnaires and their distribution in each course.

Table 3.4. Interviews and questionnaires. Number of students. Courses 1-4.

Courses	Interviews (N=34)	Questionnaires (N=67)
Course 1	9	16
Course 2	8	14
Course 3	7	14
Course 4	10	23
Total	34	67

Comparing the total number of questionnaires with the total number of interviews indicates that almost 50% of the participants in the case study were interviewed. As mentioned above (§3.1), the initial objective was to interview one out of every two questionnaire respondents. However, among students who were not selected, some personally requested to be included in the study. They were accepted on the grounds that the willingness to engage in the project was useful to the case.

A detailed interview student profile is provided in Appendix 8. In the appendix, the 34 interviewees were classified into age group, country of origin, institution and number of languages spoken. The data indicate that interviewees are from 8 different countries (in decreasing numeric order): Italy 17, France 6, Germany 5, Belgium 2, Spain 1, UK 1, Malta

1, China 1. The majority of student were in the 20-25 age range with three exceptions (student 12, 31 and 34) in the 25-30 age range (Appendix 8). The data also indicate that all 17 Italian students were from R3, Department of Law, whereas 6 French students were from Rouen and Poitiers, 5 German students from Munster and Heidelberg, 2 Belgian students from Libre Université, Brussels, a Spanish student from the University of Zaragoza, a UK student from the Université de Paris (the student was interviewed but left soon after for Paris without filling the questionnaire), a Chinese student from Nanjing University, Shanghai and a Maltese student from the University of Malta. Of the 34 interviewees, 17 speak two languages, 11 speak three languages, 3 speak four languages, 2 speak five and 1 speaks six languages. Interviewee's native languages (NLs) are 7: Italian, French, German, Spanish, English, Maltese and Chinese. The English proficiency levels of the 34 interviewees - a total of 17 Italian students and 17 international students – were classified into 5 language proficiency groups in Chapter 4.

The next three sections, questionnaires (§3.5.1), interviews (§3.5.2) and observations (§3.5.3) discuss the research tools.

3.5. Data gathering tools.

3.5.1. Questionnaires.

The questionnaire was designed to obtain data from which to develop initial categories and themes to answer the main and subsidiary research questions. The forms were handed out to all students present before the start of each lesson in all for courses. The time given to answer the 40 questions was about 20-25 minutes (see §2.1 above for a full citation of questionnaire sources).

Structurally, the questionnaire has four sections (Appendix 3) as follows:

- (1) an introduction section providing an explanation of the case study, its objectives and a note on data protection;

- (2) a student profile section in which to add name, surname, country of origin, university of origin, course and student registration number along with age, and level/year of study, gender and e-mail address (Appendix 7);
- (3) section A, 'Expectations' about SLR3. Subsections: LE – general; LE – skills; Personal growth; Teaching & Learning; each subsection, marked A-D, included 5 questions;
- (4) section B, 'Perceptions of Experiences.' Subsections: LE – general; LE – skills; Personal growth; Teaching & Learning; each subsection, marked A-D, included 5 questions.

As mentioned above, questionnaires were handed out 2-3 weeks after the start of each course. This marked the first entry into the field and the first contact in each class. The body of the questionnaires included three thematic units, LE, Personal Growth and T&L. The 40 questions, divided into 20 expectations and 20 perceptions questions, were initially organized around four themes: LE - general, LE - skills, Personal growth, Teaching and Learning (see §4.1.1).

The qualitative comments at the end of the questionnaire (Appendix 3: 219), filled in by only a few students, made it clear that a specific mention of this section of the form should have been made. I realized after the first two sets of questionnaires were completed in two classes (same day) that the reason for the omission of the qualitative comments was possibly due to the fact that not all student were equally comfortable with their writing skills in English. Also for this reason, the students needed more time to complete the questionnaire. Once the first two questionnaires were turned in, however, it was no longer possible to make protocol changes.

Instructions (Appendix 3: 117, 219), asking students to “identify any other elements [...] meaningful for analyzing” their experiences together with comments on how students believed they were “doing in this course unit as a whole” (Appendix 3: 219) and a request to add “other comments/anecdotes” about the course (Appendix 3: 219) on meaningful experiences, obtained few responses. A choice was made to put the data to rest for reason of incompleteness and also in view of the important changes made in the final stage of the study (§4 below).

The questions selected for data analysis (§4) from questionnaires in the final stage were 10 out of a total of 20 in Section 2, “Perceptions about SLR3 Experiences,” identified as subsections A, B, D (Appendix 3: 218-219). The decision to set aside Expectations is explained in §1.1 above. Another decision taken was to reduce the number of categories to five for Language and five for T&L in the final stage of the study. The decision to reduce the flow of information is made, as in this case study, if abundant and if it sufficiently serves the purpose of the inquiry in proximity of data saturation.

The sources of final stage questionnaire questions in this study (Language and Learning strands), are from theory (e.g. questions 23, 24, 29, 31), case study research questions (e.g. questions 21, 26, 27, 28, 30, 34) and teaching experience in the field (e.g. questions 22, 25, 37, 39). Two questions in the SLR3 questionnaire were from questions made in the ETL Project (cited in the body of the SLR3 questionnaire; Appendix 3). First, question 36 is from the ETLQ questionnaire (‘Organisation and Structure’ questionnaire, question 4). Second, question 38 has been adapted for this case study from the ETLQ questionnaire (‘Organisation and Structure’ questionnaire, question 2). These two questions were the only ELT project questions used as data in the final analysis stage.

Following a Likert scale, to measure the responses to questionnaires, respondents were given one among five choices on a scale from 1-5, qualitatively described in Table 3.5 below.

Table 3.5. Questionnaire Likert scale.

5	4	3	2	1
very strongly	fairly strongly	about average	rather weakly	very weakly /not at all

The questionnaire data was displayed in graphs in Chapters 4 (Figs. 4.1 and 4.2), Chapter 5, (Figs. 5.1 and 5.2) and tables in Chapter 3, (Tables 3.1 – 3.7); Chapter 4, (Tables 4.1 and 4.2); Chapter 5, (Tables 5.1 and 5.2).⁸

⁸ See Supplementary Documents, #2 - Tables and Figures.

3.5.2. Interviews.

Student and teacher interviews were semi-structured. As mentioned in §2.2 above, the semi-structured interview is considered the best option in cases where thick description is needed from participants and settings. Interviews were all carried out with each student individually and recorded, first with a standard tape recorder and later with a digital one, to facilitate transcription. Each interview was personally transcribed (Appendix 9; Appendix 10). A transcription convention system was set up for the purpose⁹, based on Simpson & Tuson (1995), Gilham (2000) and Kvale (2007). Interviewee profiles obtained are reported in Appendix 8.

Each student interview lasted on average 30 minutes whereas teacher interviews lasted on average 40 minutes. Student interviews were extended beyond the pre-established time in cases where respondents raised issues that were new, potentially useful and interesting for the study. In the case of teacher interviews, a list of questions was prepared beforehand. However, some flexibility was allowed where the issues and topics discussed presented novel arguments of interest for the study. The qualitative interview alternatives, structured or open, were discarded. Structured interviews are mostly chosen in larger, quantitative-qualitative studies while open interviews are best fit in ethnographic and grounded theory studies (Creswell 2005).

The criteria for justifying ‘margin of flexibility’ was to allow respondent’s voices to emerge and to facilitate the unfolding of new topics, particularly where these are retained relevant or potentially enriching for the case. Overall, this approach proved effective, although some limitations were found. The timing for student interviewing was 30 minutes but time keeping was not always respected. In addition, questions were not always asked in the same order. However, given that a script existed, all questions were asked. As regards to teachers, as mentioned previously, time to continue a train of thought to complete an argument or to begin a new, unknown one, was also permitted for the sake of uncovering new perspectives on the case.

The decision to interview students in English, although some students would have predictably expressed themselves better in their MT, was made before entering the field. While conducting interviews in Italian was possible, because of the mixed nature of the

⁹ See Supplementary Documents, #3 - Transcription Conventions.

student population, this option was discarded. The criteria was that unless all interviews for all students are carried out in their respective MTs, the best option is to carry out interviews in the shared medium of instruction, English, to ensure fairness and consistency of the study. Asking the questions in English has consequences: from the ‘requested end’ (interviewee), the ability to express ideas and points of interest adequately; from the ‘requesting end’ (interviewer), the fact of possibly obtaining less elaborate responses. However, the data obtained from interviews are thick and I am fully satisfied with them.

Kvale (2007: 64) writes that there are two useful tips to consider when interviewing. First, the use of “second questions,” within the rationale of the semi-structured interview, and the need to be open to sequence changes and question forms in order to give space “to follow up the answers given and the stories told by the interviewees” (ibid: 65).

Students were asked 12 questions in total (Appendix 2). The opening question supplemented the student profile data (questionnaire form) qualitatively. Questions 2, 4, 9, 11 are Language questions. These are complemented with T&L questions 3, 5, 6, 7, 8. Most student interview questions have a main focus and two embedded questions (questions 1, 2, 3, 4, 5, 6, 10). The rest are mono-focused questions. To give an example, Question #2 - *Can you tell me about your English language background. Where did you study English and for how many years?* - includes one focus and one embedded question. The purpose of the focus part is to gather data on the language history of each student by introducing the topic “language background.” The embedded question asks specifically for location and time coordinates. So, the first part of Question#2 served to draw participants’ attention to the main content of the question; the embedded part, on the other hand, served to make the content of the main question more explicit. Question#2 was used for developing a student language proficiency level framework, instrumental for Chapter 4 data analysis. It provided invaluable information for the classification of students into proficiency groups (Appendix 11). Based on this question, an interviewee student profile was developed (Appendix 8). Question#7 asks about the “social” integration status of the interviewee. Question#8 relates to expectations, linking both the Language and Learning questions. The final question served the purpose of affording space for students to provide a synopsis of personal experiences from the beginning of the course to the time of the interview.

Teacher interview questions were also semi-structured (Appendix 12). The initial script for teacher interviews included a total of 12 questions. Flexibility, however, where additional

or unknown topics emerged during the interview, was allowed to obtain more detailed accounts and personal views from respondents. The topics for teacher interviews were also two, Language and Learning. Language topics included: ‘assessing difficulties’– (questions 1, 2, 3); ‘comparing’ (present and past courses) related to ‘proficiency’ (question 4), ‘curriculum’ (question 6), ‘assessing impact’ (question 7). Learning topics included: ‘comparing’ (present and past courses) in general (question 5), ‘assessing impact of changes on learning’ (question 8), ‘motivation’ (questions 9, 10); ‘teaching method’ (question 11); ‘solutions’/‘strategies’ for quality learning (question 12).

Excerpts from teacher and student interviews are included in Chapter 4 (57 excerpts) and Chapter 5 (44 excerpts). The convention adopted for student and teacher excerpt displays includes the following information: chapter and excerpt number (e.g. Chapter 4, Excerpt 4), Course (1-4), excerpt data source (student/teacher interview). For student excerpts only, student origin (Italian/international). Here is an example of each:

- Excerpt 4.4/Course 1/Italian student interview
- Excerpt 5.44/Course 4/teacher interview

A total of 101 excerpts were displayed.

Re-examining the recorded interviews indicated that the margin of flexibility was at times stretched. This was the original stance taken: flexibility facilitates rather than hampers “disclosure” of new information. New insights about the case study are known thanks to participants’ willingness to share ‘insider’ information. Flexibility is useful but it needs to be employed with caution for its potential to render data description, explanation and interpretation inoperable.

The interview design was meant to capture students’ perceptions of experience of studying core disciplinary subjects in a foreign language. The idea was to gauge the importance of language issues in coping with learning new subjects and practicing legal skills in English. Moreover, the interest was to gather data on students’ level of satisfaction, expectations and career prospects. Interviewees were also inclined to give testimony of experiences and knowledge about the host and home country legal-education systems, comparing their merits and lacks.

The interview questions covered all aspects of the research: language background, expectations, experiences on activities, teaching and learning, learning strategies, the social dimension, personal growth and students' comments on future career prospects. The initial format was varied only slightly to render the work of analysis and interpretation more effective.

Teachers' interview questions were designed differently. Although they were written beforehand, and a script was printed, the format was flexible enough to allow teachers to express themselves more freely by letting their experiences, knowledge of the programme and personalities unfold more naturally. In a few cases, the teachers took the initiative and converted the interview from semi-structured to open, introducing new, unexpected topics. Diverging from the pre-established format was welcomed, however, in that in all cases it permitted useful information to surface about teaching, the curriculum, objectives and possible changes to the programme (eliminations, modifications, adaptations) from the previous academic year. Teachers' experiences and perceptions about teaching along with their views on how the courses were conducted and on students' responses to their teaching strategies, proved invaluable.

To ensure reliability of the coding procedure, two interview transcripts were sent to two R3 colleagues asking them independently to look at the same data (2 interviews) and select those items they considered relevant in the light of a general description of the research (i.e., brief introduction, research objectives, main research question, methodology and objectives of the study) to examine which parts of the data were important for them. Colleagues independently examined the same data.

In test 1, a total of 28 segments were selected by Expert 1 and a total of 19 by Expert 2. In test 2, the difference between the two experts was narrower. A total of 25 segments were selected by Expert 1 whereas a total of 21 were selected by expert 2. In test 1, the correspondence (i.e., match) between the two experts, (i.e., same items), was 19 out of 28 (reliability = 67.86%). In test 2, the correspondence between the two experts was 21 out of 25 items (reliability = 84%).

Expert 1 is an English language teacher from the R3 Department of Linguistics. Expert 2, teaches contract law in the SLR3 programme. The test highlighted differences between the experts in the type of items they chose. Expert 1 selected language teaching related items whereas most of Expert 2 segments selected related to legal terminology and activities in

SLR3 courses. I attribute these differences to their professional backgrounds. Lessons learned from this test were that the kinds of items selected by the two experts appear to be conditioned by their present line of work, their understanding of this case study and of the SLR3 programme.

3.5.3. Observations.

From the start, a comparison between at least two courses was deemed necessary. In the end, the choice made was to compare all four. Initially, two teachers from two courses who taught on the same days were contacted for permission to observe the classes and conduct interviews. The objective was to carry out three observations in each course (i.e., 3 lessons each) for a total of 6 (total duration: from four and a half to six hours). The following week another course was observed. A fourth and last course was observed in the spring semester (see Chapter 1, §7.1 for explanations on course selection criteria adopted).

The plan was to use this tool to find out *what* participants (teachers/students) do in class (methodology) and *how* they do it. This initial set of items to observe was extended to observing other elements such as *how* students were being guided into developing legal skills and how they worked in class (together, individually). Teamwork meant for groups of students having to organize activities, identify roles and select text or visual aids for writing and presenting case-law. Observations also identified the type of language speech acts used (e.g. exposing, describing, explaining, comparing, arguing). Focusing on a short list of items was a useful suggestion provided by Delamont (2002: 130). After the pilot project experience, the stance taken for observations in this study was to be as unobtrusive as possible, while observing systematically and taking plenty of notes. With respect to ‘when’ to observe, classrooms schedules were organized differently. Each teacher was asked beforehand when the best time to observe would be.

Three observations were carried out in each course. The lessons lasted either 90 minutes (Courses 2 and 3) or 120 minutes (Courses 1 and 4). The reason for the difference in duration is that the former two courses were organized into three shorter lessons per week whereas the latter two courses were organized into longer lessons twice weekly. Observing lessons instead of counting minutes better served the purpose of the case study.

The first two observations (Courses 1 and 2) were made in the 5th week of class (November 2008). Course 3 and Course 4 were observed starting the 6th week of class (November-December 2008; April 2009). Observations were supplemented with field notes to record ‘first impressions’ about the groups as a whole, team/pair/individual work, teaching: dynamics, student engagement (actively involved or non-participative), presentation styles.

The revised observation scheme (Table 3.6) was simplified; it includes the following changes made to the pilot project scheme (see §2.3, Table 3.2 above). First, a clearer distinction between the two themes, LE and T&L. LE observation elements were left unchanged, but changes were made to the T&L scheme. In the Learning part of the scheme, the division into 3 themes (Table 3.6) was reduced to one, T&L. The theme was subsequently subdivided into 3 sections, subject matter (content), advocacy and language skills (legal practice) and teaching approaches (traditional/learner-centred/blend) and materials. T&L subject matter includes the four types of guidance from the original scheme.

Table 3.6. Main study observation scheme.

Theme	Observation categories
LE	Legal vocabulary uses Interaction: (dialogic/monologic)
T&L	Subject matter: Types of guidance/assistance: Instruction, feedback, rewards, asking questions
	Advocacy, language skills
	Teaching approaches: scholar-academic, learner-centred, blend Materials: case law, articles, encyclopedia chapters, publications

In Table 3.6 also ‘advocacy’ and ‘language skills’ was left unchanged. In this new scheme, activities under advocacy and language skills were not specified in the scheme itself due to the different ways in which each teacher prepared students for advocacy and the use of language. The last, T&L approaches, was also left unvaried. This subsection includes differences found during observations among approaches by teachers from traditional to learner-centred to blends. Materials was also included in this section. Observation notes did

not follow the same order as in the scheme in Table 3.6 above, given that all four courses organized lectures and activities differently (Appendix 13).

3.6. Field notes and memos.

Although the information in Table 3.7 is not part of the research triangulation (see §1.5.1 above), the purpose of keeping field notes, memos along with a monthly diary was to leave a trace of thoughts, actions, actors and other aspects of the case study such as first impressions in the field, particulars about on-going processes such as observations and interviews, data analysis, innovations and ways to organize and write about the data, to mention a few.

Table 3.7. Classification of field notes and memos.

Source	Tools	Strategies	Teaching	Learning	Personal reflections	Doing research	Context
Fields notes	Interviews, observations, questionnaires	Conducting research, making improvements, deciding	Ways of teaching the case law method, law subjects, approaches to language teaching	Students' impressions about courses; comments or suggestions for improvements; engaging with language and subject matter	Professional developing through doing research, efficacy of data gathering, first impressions, writing	Comments on processes and research phases; organizing the data, analysis, recommendations	Students; teachers; the courses, SLR3
Memos	Interviews, observations, questionnaires	Approaches to research: case study, grounded theory, ethnography	Approaches to teaching the case law method: Scholar-academic, Learner-centred teaching	Reading strategies, 'doing the legal thing,' question/answer sessions; class discussions	Reflections on research themes, the literature; subject matter; one's own teaching, regrets, innovations	Research, teaching; learning, analysis, recommendations	Students; teachers; the courses, SLR3

Table 3.7 illustrates the kinds of records kept on research tools utilized for data gathering, strategies adopted, teaching, learning, personal reflections and the research itself. Access to this material proved invaluable in later stages (Appendix 14 and Appendix 15).

The next section reports on the actions, steps and stages taken to analyse the data.

4. DATA ANALYSIS

4.1. Sorting out codes, categories, themes.

The quantitative data analysis (questionnaires) was deductive. It means that coding was carried out from questionnaire questions developed prior to data gathering. The qualitative data analysis (interviews, observations) was inductive. Coding was carried out from interviewee responses and researcher observation notes, taking into account the purpose of the study (Chapter 1, §4). Tactics for generating meaning from qualitative coded data consisted in identifying patterns, comparing, counting, noticing relations between/among variables, building logical chains and extracting findings from the data (Miles & Huberman 1994; Richards 2005).

The qualitative data were managed with NVivo, a research database-type platform that affords the researcher the possibility of carrying out a number of operations to prepare the gathered data for analysis (i.e., storing, selecting extracts, labelling, describing and retrieving).

The analysis was conducted in two stages, labelled for the purposes of this study, ‘data analysis first stage’ and ‘data analysis second stage.’ Once the material (coded at three-levels) was completed and retained sufficient, this first stage ended, giving way to the second stage. Both stages are discussed in more detail in the next two sections: quantitative data (§4.1.1) and qualitative data (§4.1.2).

4.1.1. Quantitative data.

The number of questionnaire themes, LE-general, LE-skills, Personal Growth and T&L, were reduced from four to two, in correspondence with the themes employed for interviews and observations. This streamlining process, following Creswell's (2007: 121) guidelines, consisted in reading and re-reading the entire set of data prepared for analysis in the first stage and stepping back to reflect on the larger thoughts presented in them. In this way, an efficient and manageable coding system was formed that still contained valuable data to meet research objectives. In the second stage, data extracts were selected for their relevance to study aims and for bringing to the fore study-related topics that depicted or described actors, actions, events and situations of *what* was happening in the setting along with study-related concepts that had analytical potential for explaining insights about the study such as *why* something happens (Lincoln & Guba 1985; Miles & Huberman 1994; Richards 2005).

For the quantitative data analysis second stage, five LE categories (*vocabulary, listening, reading, interacting, presenting*) and five T&L categories (*unit organization, materials, topic understanding, subject coherence, summarizing*) were selected. The selection in regards to what to keep and what to put to rest was coherent with the need to streamline the data as well as with the research design, the purpose of the study and the research questions.

4.1.2. Qualitative data.

4.1.2.1. Interviews.

To illustrate the data analysis second stage, extracts in the final selection under LE were named *language background* (institutional L2 learning, additional L2 learning), *language proficiency* (basic, low intermediate, ...), *communication in L2* (interaction, debates, Socratic dialogue), *future uses of L2* (career prospects, international networking). Selected interview extracts under T&L were named *approaches to learning* (deep/surface), *learning strategies* (writing summaries, developing legal English glossaries, memorizing, rehearsing, taking/making notes), *L1-L2 issues* (student's L2, teachers' L2), *engagement* with the

curriculum (active/passive), *approaches to teaching* (scholar-academic, learner-centred), *course demands* (presentations, roleplaying).

4.1.2.2. Observations.

To illustrate the data analysis second stage, extracts from notes in the final selection under LE were named *vocabulary* (legal terminology, use/misuse of) and *interaction* (dialogic: debating, Socratic questioning; monologic: presenting). Selected extracts under T&L were named *subject matter* (e.g., instruction, feedback); *skills/advocacy* (e.g., Socratic dialogue, mock trial); and, *teaching approaches* (e.g., scholar-academic (traditional), learner-centred, blend (Chapter 2, §4.1; Table 3.6, §3.5.3 above).

4.2. Summary of data analysis.

Case study quantitative and qualitative data were analysed in two stages, with two approaches (deductive for quantitative data; inductive for qualitative data). Extracts selected for coding were based on the following selection criteria: whether they contributed to answering main/subsidiary research questions, questions about participants, approaches to teaching/learning and the educational setting object of the analysis, keeping design and case study objectives in clear focus throughout the study. Coding consisted in highlighting meaningful words, phrases or sentences and classifying the data in preparation for analysis.

In the second (final) stage, the qualitative analysis consisted in systematically refining the data selected (also de-selecting data considered irrelevant), by re-visiting the material anew. The adopted criteria were meant to facilitate the passage from working with data to obtaining findings and from there to verifying them and making conclusions. In this stage, the analysis focused on exploring connections existing among the data through processes of abstraction, comparison, interpretation, explanation, using the selected extracts obtained from the research tools for triangulation purposes (Richards 2005: 54) and placing data considered irrelevant to rest.

In this second stage, qualitative data were analysed by iteratively, re-examining the corpus, re-organizing and explaining it. This entailed first sifting through the entire corpus of

collected data following the criteria for data selection based on whether they contributed in “coherent, study-important ways” (Miles & Huberman 1994: 64) to the analysis. After that, the analysis itself proceeded by incremental abstraction, interpretation and reasoning about the findings to verifying them and drawing conclusions.

Parallel to this, field notes, memos and a daily log were kept, leaving a trail of actions, decisions, changes, regrets, new ideas identified for analysis (see §3.6 above). The process was repeated until saturation was reached which meant having the certainty that the analysis was complete.

The next section deals with study limitations.

5. LIMITATIONS OF THE STUDY.

One limitation of the study relates to questionnaires. I regret not having developed, from the beginning, a simpler questionnaire. On hindsight, this would have simplified the data analysis stages and writing process considerably. The study has later proven that the perceptions collected from students and teachers alone, from the start (rather than data on expectations and perceptions), were sufficient and have generated enough rich data to answer the research questions.

Another limitation of the study regards observations. I regret not having imposed video recordings during observations. Early on, one of the teachers asked if it were possible not to record the lessons in his class and the request was accepted. For this reason, in order not to compromise the coherence of the data collection procedure, I opted for not recording any of the courses. Video or audio recordings would have facilitated the data analysis process, yet, my informed assumption was that recordings were in general not welcomed in SLR3 because they are considered disruptive. This influenced my decision, but I was still able to capture significant passages from courses observed to describe, explain, interpret and draw conclusions from the setting and the actors and actions within it with precision. In larger studies that investigate more than one programme simultaneously in similar university programmes as SLR3 where observations are included in the research design, audio or preferably video recorded observations are necessary to better capture the dynamics of participants and setting especially in complex multi-site settings.

Yet another limitation is the size of the study. A larger study comparing perceptions of participants in two rather than one programme, and in eight courses rather than four, or a similar study exploring several but related university programmes in which EMI courses are provided, in two or more disciplines such as law, economics and engineering, would have a greater impact in terms of generalizable results in the specific areas of investigation than the present study does.

Chapter 3, has prepared the ground for Chapters 4 and 5 and it is expected that the quality of the data collected and the use of the NVivo database provide valid findings based on solid interpretations of the two main themes, LE and T&L, and within each, of the programme, the participants, their relation to language and subject matter, the use of English as medium of instruction, the nature of mixed national-international T&L educational settings, teaching approaches and methods as well as future research.

CHAPTER 4

LANGUAGE

1. INTRODUCTION.

The purpose of this chapter is to make generalizations from exploring the language data (as a theme with related categories) from both quantitative and qualitative perspectives. Sources of data instrumental to the development of this chapter are questionnaires, student and teacher interviews and observations. The chapter first presents global figures from questionnaires in two themes (§2) as discussed in Chapter 3, §3.5.1. This is followed by a qualitative classification of students' language backgrounds with the purpose of developing a typology of students' English proficiency levels from which five levels were identified (§3). To reach this aim, the classification was based on the following parameters: a) students' present level of English; b) students' language education backgrounds; and c) students' supplementary (integrative) language experiences. Developing a typology of language backgrounds served as the basis for judging perceptions of experiences regarding both LE and T&L.

In section 4, students responses to five main LE categories (questionnaires): *vocabulary*, *listening*, *reading*, *interacting* and *presenting* (§4.1-4.11), compounded with data from interviews in each of the language proficiency groups, are compared. The final section (§5) discusses the principal quantitative and qualitative findings and patterns derived from the data submitted in this study.

Section 2 below presents a global overview of the data for LE and T&L.

2. A QUANTITATIVE GLOBAL PERSPECTIVE.

The quantitative comparison of LE and T&L in Fig. 4.1 below shows a slight but important difference between the two sets of data in terms of ‘perceptions scores’ which helps situate the initial study assumption about the place of language in the SLR3 curriculum (see Chapter 2, §3.1).

Total ‘perceptions scores’ (named here for the purpose of this study) for each theme are based for LE on the *means of means* of the two LE scores which in turn derive from the separate calculation of LE-general and LE-skills *means*.

Fig. 4.1 shows LE and T&L themes in an unequal relationship: LE scores are lower than the T&L scores. The data explain initial study assumptions about language-related issues such as the place and importance language as subject occupies in the SLR3 curriculum. These results call for an examination of the quantitative data submitted in light of the qualitative data. The qualitative data for this Chapter (see §3 below) was obtained from two sources: students’ present proficiency levels (CEFR 2001) and past experiences (language backgrounds).

Fig. 4.1. LE and T&L perceptions/SD (*means*) scores.

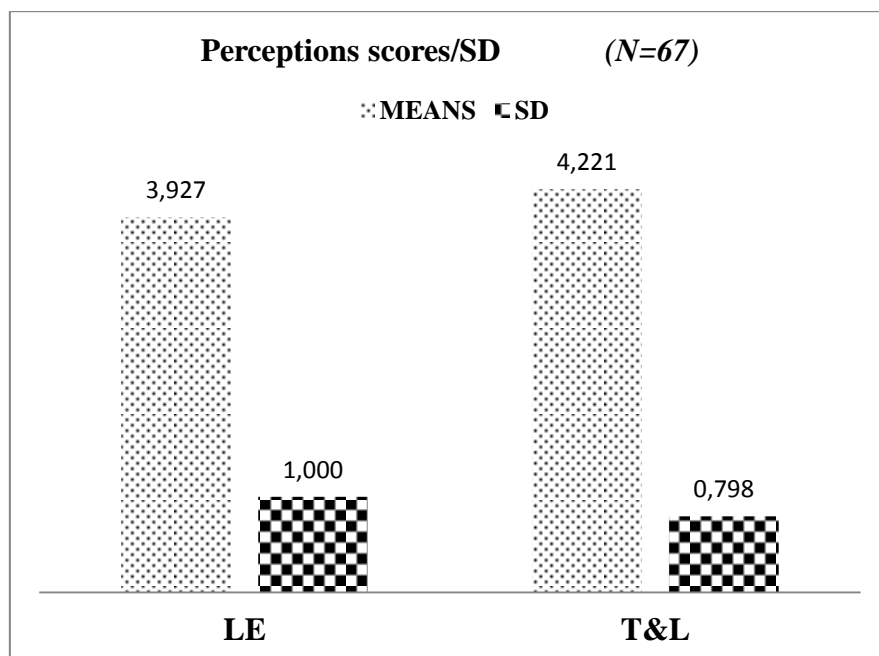


Fig. 4.1 data from LE perceptions scores ($M=3,927$) and corresponding standard deviation ($SD=1,000$) were obtained from questionnaire responses to questions #21-30. T&L perceptions means ($M=4,221$) and corresponding ($SD=0,798$) were obtained from the calculation of responses to questionnaire questions #35-40 (Appendix 3).

The two sets of data - qualitative and quantitative – from questionnaires and interviews were combined to classify students into groups according to English proficiency levels from which to analyse and draw conclusions on perceptions about engaging in SLR3 from the ‘language proficiency level’ perspective.

Section §3 below introduces criteria and steps taken leading to the classification of students into 5 different proficiency groups from which an interesting pattern emerged.

3. CLASSIFICATION OF STUDENTS’ LANGUAGE PROFICIENCY.

To respond to subsidiary research question, *What are students' perceptions about engaging in law subjects taught in English?* interviewees were classified into five distinct levels of English proficiency using the CEFR framework (2001), as standard, supplemented by the following data and criteria:

- (a) students’ English language backgrounds - elementary, high school, university education – (question #2, main study interviews);
- (b) students’ supplementary English language learning - courses, trips, competitions, exams - parallel to schooling (question#2, main study interviews).

The steps taken to develop the classification in Appendix 11 are reported in this section. As mentioned in Chapter 1 (§9.2, §9.3), R3 students who participated in SLR3 courses in 2008-2009 were tested for English by the University Language Centre (It. Centro Linguistico d’Ateneo) prior to entering law school. The minimum level required at the time was CEFR (2001) A2 (low intermediate). International students were not tested for English in Italy but in their home universities. At European level, the requirement for taking part in the Erasmus programme at the time was also A2. Not so for international joint degree students (e.g. R3-

University of Poitiers) who are required to take courses in Italian while studying in Italy.¹⁰ Even though the preferred level of English recommended in SLR3 was and still is the B1 (based on CEFR 2001), not all students who enrolled in the programme had actually reached the recommended level.

Taking the ‘real’ situation into account, i.e., that levels of English in the present study were dissimilar, a classification was developed, based on the criteria mentioned previously, to assess the level of English of 34 interviewees as shown in Table 4.1.

Table 4.1. Interviewee proficiency groups.

Group	Proficiency	No. Ss
Group 1	NS/Bilingual/Advanced plus	5
Group 2	Advanced	11
Group 3	Intermediate plus	7
Group 4	Intermediate	4
Group 5	Low Intermediate	7
Total interviewees		34

Steps taken: Students were sorted into 5 proficiency groups according to home institution, nationality, school and supplementary education. A full description of the interviewee population ($N=34$) is described in Chapter 3, §3.4 and a profile is provided in Appendix 8. Of the five students in Group 1, four were international students from European universities and one, a Swiss-Italian was from R3. Two students (UK and Malta) were NS and near-NS and three students in the group were either educated in EMI or had extra hours of English. While at university, two students took part in internships and one participated in an international competition abroad. In Group 2, all students took English courses in middle or high school or both. With one exception (S16; Appendix 11), students in this group engaged in supplementary education (summer camps, courses, boarding schools) abroad or at their own

¹⁰ International students (Erasmus programme) are not tested in Rome. They are tested for Italian for the minimum A2 level required to take Italian SLR3 law courses.

institutions (e.g. S15). In Group 3, all 7 students took at least 3 years of English language in elementary, middle or high school. All participants in this group also took summer abroad or related language courses. One student, S23, obtained the CET4 certificate which required many months of study before entering university in addition to 3 years of study in middle school and another 3 in senior high school. Students in Group 4 all had at least 3 years of English in school. English language education in this group is supplemented differently, ranging from 2 years at university to prepare for the PET exam, private lessons or living abroad. Finally, Group 5 students, an Italian, 4 French and 2 Belgians, studied English in elementary, middle or high school with the exception of S32 who studied English from middle to high school. Only one of the 7 students spent time abroad in an English speaking country (S29).

The objective of the above classification is, as mentioned previously, to explore the relationship between students' English proficiency levels and their perceptions about participating in SLR3 courses in each proficiency group.

In section 3.1, below, qualitative comments from students' interview responses in each group, illustrating students' perceptions about SLR3 courses, language background and language learning are presented.

3.1. Group 1 (NS/Bilingual/Advanced plus).

With the exception of both the UK and Maltese students, the other three students in this group are highly proficient L2 users matching CEFR (2001) level C2 descriptors, as able to “understand English with ease,” reconstruct “arguments and accounts in a coherent way,” “express themselves fluently” and differentiate “finer shades of meaning even in more complex situations.” An examination of their language background indicates that all five had important experiences abroad such as growing up in a bilingual environment, studying abroad for extended periods of time (e.g. UK boarding schools), or being educated in elementary and secondary international schools where subjects were taught in EMI.

The generalization to be made about these students is, based on comparisons between the above data and the data from the other 29 interviewees and class observations, that being raised bilingual, educated in an international school along with out-of-school experiences,

especially full-immersion, such as English spoken at school, work or recreationally, positively influence student's proficiency level. Comments made by students in this group suggest that working in mixed proficiency level classes may make it difficult for some to understand others' accents and to build a common subject-matter foundation conducive to learning.

Two international students mentioned spending time in the US for internships in law firms (Appendix 11). Their perceptions of SLR3 were negative due to the fact they were more interested in learning content than in improving their already high proficiency skills. One of them commented:

Excerpt 4.1/Course 2/international student interview.

He ((teacher))¹¹ expected us to say like, yeah we will improve our speaking skills, and whatever, just working with the language was like supposed to be the main focus of the class. Maybe it is. [...] But, to me, having already had lectures in English, and already learnt some English, some common law, to me it was just like, I was, I wanted to get information and learn about law, and not just have some Italian person who does not speak very good, very well, present the case to me because I don't think that I learn a lot of law and also a lot language whatever from that.

The comment in excerpt 4.1 mirrors the reactions from this and other high proficiency students who mentioned they enrolled in the course prevalently to learn content not to improve their knowledge of English.

3.2. Group 2 (Advanced).

Students in this group presented a greater variety of language backgrounds and supplementary language education. Some spoke about the importance of maintaining and improving their English proficiency by going to English speaking countries. While the number of years of study locally or abroad in this group varied (from 3 to 12 years), some students were taught English in local high schools while others studied in international schools. In terms of extra-

¹¹ See Supplementary Documents, #3 - Transcription Conventions.

curricular language learning, most took private English courses, attended summer camps or boarding schools abroad for varying periods of time or took EALP courses at university before enrolling in SLR3.

To sum, what places these students in the advanced group (source: interviews and observations) is their capacity to “understand a wide range of demanding, longer texts” (CEFR 2001) and the ability to express themselves fluently, present complex subjects and answer questions with a certain ease.

Here is an example of a student explaining his language background:

Excerpt 4.2/Course 4/Italian student interview.

S I studied English since the middle school. For more or less ten, twelve years. And I did a lot of experience abroad too, not really very useful, because just 15 days it's really [searching the right word] a few, a too short time.

R *Where did you go?*

S I went one year in Ireland for 15 days, one other year to Malta but there everybody was speaking Italian.

The student's words point to the importance of maintaining the acquired proficiency level and of supplementing face-to-face teaching-learning with other, out-of-school, activities.

3.3. Group 3 (Intermediate plus).

All seven students in Group 3 studied English in middle, high school or both and privately throughout schooling in their own countries or abroad. What places these students in this group is their capacity to understand the topics discussed in class (e.g. presentations), to interact with a certain degree of fluency and to participate in discussions (e.g. Socratic dialogue/plenary debates). A person at this level (B2) can, according to CEFR (2001), understand the main ideas in complex legal text on both concrete and abstract topics, including technical discussions in his/her field of specialisation. Such a person can interact

with fluency and spontaneity, making regular interaction with native speakers quite possible without strain for either party.

Here are two Group 3 students describing their experiences as learners of English abroad:

Excerpt 4.3/Course 4/Italian student interview:

- R* [...] you mentioned you went to colleges I assume in the UK or Ireland?
- S* Yes, I went there a couple of times. One, [...] in Worcestershire. [...]. My Maltese experience has been wonderful for various amounts of reasons but mostly because we were living in a residence there, and [...] we had a bus that brought us to university every hour, but there we were 700 like students from all over the world so you can imagine that we were living in a house of ten persons all from different nationalities.

Excerpt 4.4/Course 1/Italian student interview.

- R* So every summer you would go to Ireland. For how long?
- S* Two months. [...] It was very nice because we were used to be brought to some families that were friends of the priest. And we were living with the families, with the children and the family as well, and in the morning we went to school, and in the afternoon we play baseball or something so it was very, very fun experience and it started in my 16th age. And then I went to the Trinity College and you know I am very curious about English, so I love it, so I try to improve it in many ways by watching movies in original language or go to London and speak with Londoners. But the background started with this school.

These two excerpts signal the value of learning in full-immersion situations abroad where the only way to interact with students from around the world is to do so in the common language, in this case English.

3.4. Group 4 (Intermediate).

Students in this group had reduced opportunities to speak English during schooling and to use LE at university. This resulted in their finding class activities such as presenting particularly difficult. They mentioned compensating their difficulties by preparing more than was expected of them. Observations confirm that students in this group tended to remain silent (e.g. plenary debates) if participation was not mandatory (e.g. Socratic dialogue) or if questions were not directly addressed to them, letting others do the communicating.

In this group, students learned English prevalently in school. Their supplementary education experiences abroad were either at university, private schools, monthly visits to the UK or preparing for the PET and First Certificate tests. Their level of English is (source: interviews and observations) sufficient to understand main points in matters related to SLR3 work, such as plenary debates. They participate less in group debates, preferring to remain silent because of the language factor. They are capable of preparing and delivering presentations on their own, even if with greater difficulty. In terms of CEFR (2001), their level is the B1. A person at this level can, according to the framework,

understand the main points of clear standard input on familiar matters regularly encountered in work, school, leisure [...]. Can produce simple connected text on topics which are familiar or of personal interest. Can describe experiences and events, dreams, hopes & ambitions and briefly give reasons and explanations for opinions and plans.

Differences among proficiency levels were found when interviewing these students. In excerpt 4.5, the student admits to finding it problematic to express himself in English, particularly when the topic of discussion is complex:

Excerpt 4.5/Course 2/international student interview.

S I presented something. For my English skills, it wasn't bad but I mean, I didn't like the content that I made. I didn't like my work, yes. [...]

R *Why didn't you like it?*

S Because it was talking about sen, sen, a statement ((judgment)) and I didn't, I don't know how to say that, I didn't know how to express that thing, that problem.

The excerpt below comments on difficulties encountered in communicating content knowledge:

Excerpt 4.6/Course 2/Italian student interview.

Yes. It is really difficult for me now because in my mind, every words are in Italian so I have to think in Italian, and after in English. It's really complicated.

These two excerpts and those of other students in this group illustrate differences between them and higher proficiency students. Group 4 students viewed L2 as a barrier for communication and oral expression was negatively perceived.

3.5. Group 5 (Low Intermediate).

In Group 5, students (1 Italian, 4 French, 2 Belgian) got language education in middle and high school. One student spent two holidays in England. However, with no exceptions, this group struggled to fulfil course demands. The reasons were: (a) language education was poor in their school; (b) they had no supplementary educational experiences; and, (c) their present English proficiency level was below the SLR3 recommended threshold.

These students developed L2 reading comprehension in school but it was seldom supplemented with L2 speaking and listening. They mentioned that the quality of language education during schooling was so poor that they even had trouble understanding their own teachers. For this, their behaviour in class was passive or distracted rather than active, attentive and participative. This group seldom took part in plenary debates. Some even mentioned that in the school years their own teachers had trouble speaking English. Very often the language programme was taught in the 'traditional way,' i.e., reading literature in L2, translating it into L1, and then discussing the topics in L1. A Group 5 student mentioned he also has trouble understanding normal conversations.

The excerpt below is a reflection of an enduring problem that exists in Italian schools:

Excerpt 4.7/Course 2/Italian student interview.

I studying it ((English)) in Naples for three years of the school, the period of superior school and the last two years I studying in Rome. And for this I have many problems in English because I have many teachers, different teachers [...].

The student mentions the highly contentious issue of “substitute teachers” which often does not guarantee teaching continuity. Substitute teachers are needed because of the diehard absenteeism problem that exists among full-time teachers in Italian schools. Students who do not take the initiative and participate in class behave this way not necessarily out of shyness or lack of English proficiency but out of past experiences related to the way languages were and still are taught in school.

In international classes, plurilingual students who speak more than two languages but whose English proficiency is low are struck by other types of problems:

Excerpt 4.8/Course 2/international student interview.

Ah, that’s because of this frustration that I explained before. Just I understand, I ask me ((I tell myself)) so many times to answer and I understand what the questions are, but I cannot understand the people, that’s it, always the same thing. [...]. In English I have to think what I want to say.

The student alludes to language interference from having to shift among three linguistic codes: the student’s L1, French, her L2, German and her L3, English.

4. QUANTITATIVE-QUALITATIVE COMPARISONS.

The principal objective of this chapter is to answer the main and the first subsidiary question, *What are students' perceptions about engaging in law subjects taught in English?* in different English proficiency level groups. The quantitative and qualitative data sources discussed in this chapter are from numerous comments made by students about language in different English proficiency groups during interviews and from responses to questionnaires.

In Table 4.2, the data highlight important differences among students in the five language questionnaire categories selected for the comparison (*vocabulary, listening, reading, interacting, presenting*). Scores in bold indicate the highest perceptions scores obtained from responses to questionnaires of all 34 interviewees classified into five proficiency groups.¹² To begin, Groups 1 and 3 diverge in important ways. In Group 1, perceptions scores indicate the existence of a marked dissatisfaction with legal terminology: students were not interested in learning vocabulary because they claimed they already knew it. The vocabulary perceptions scores in Group 1 resulted in a low ($M=2.5/SD=0.96$), reflecting the response to questionnaire question #21 (Appendix 3), *I am learning and using many new Legal terms in English*, as “rather weakly” (see Chapter 3, §3.5.1). By contrast, in Groups 3 perceptions scores for vocabulary resulted in a high ($M=4.71/SD=0.48$), or “very strongly.”

On the other hand, in Group 1 there was greater satisfaction with reading compared to Group 3. Main questionnaire responses to question #28 (Appendix 3), *I am able to read core disciplinary articles/documents in English with ease*, shows Group 1 students gave reading the highest perceptions scores ($M=4.75/SD=0.50$), which indicates this group felt ‘very strongly’ about legal literacies. In Group 3, by contrast, reading perceptions scores ($M=4.14/SD=1.07$), indicate a “fairly strongly” response.

In Table 4.2, an examination of the figures in bold representing highest perceptions scores indicates: (a) Group 1 gave *reading* the highest score; (b) in Group 2 the highest score was *presenting*; (c) in Group 3, *vocabulary, listening* and *interacting*; (d) in Groups 4 and 5, no highest perceptions scores were obtained.

The *means* were calculated taking perceptions scores from questionnaire responses in each language proficiency group. To give an example, the vocabulary perception score ($M=2.50/SD=0.96$) in Group 1 is the result of the *means* for question #21 obtained from 5 students in Group 1. Likewise, the reading perception score ($M=4.14/SD=1.07$) was obtained from the mean perceptions scores of all interviewees in Group 3 in response to Question #28.

¹² Questionnaire and interview responses are from the same students.

Table 4.2. A comparison of language perceptions scores/SD in five proficiency groups.¹³

Groups/Categories (N=34)	Vocabulary	Listening	Reading	Interacting	Presenting
	Mean (SD)	Mean (SD)	Mean (SD)	Mean (SD)	Mean (SD)
Group 1	<u>2.50</u> (0.96)	<u>2.50</u> (1.00)	4.75 (0,50)	3.50 (1.73)	4.50 (0.58)
Group 2	3.82 (1.40)	3.64 (1.21)	4.09 (1.22)	3.82 (1.25)	4.55 (0.52)
Group 3	4.71 (0.48)	4.43 (1.13)	4.14 (1.07)	4.86 (0.38)	4.43 (0.79)
Group 4	4.00 (0.00)	4.25 (0.50)	3.75 (0.50)	3.50 (1.91)	<u>3.50</u> (1.00)
Group 5	3.86 (1.07)	4.29 (0.95)	<u>3.57</u> (0.98)	<u>3.29</u> (1.11)	3.57 (0.53)

The data presented in Table 4.2 constitute the basis for the quantitative and qualitative findings and patterns in §5 below.

Fig. 4.2. shows students' perceptions scores and standard deviations resulting from questionnaire responses in all five LE categories calculated from (*means of means*) scores in the five English proficiency groups. Comparing the data obtained from each of the proficiency groups discloses the following pattern:

- (a) in mixed proficiency courses such as SLR3, the highest and lowest English proficiency groups are the least satisfied with the course;
- (b) in-between groups - advanced and intermediate – are more satisfied with SLR3 than the two groups in a) above, yet less satisfied than the intermediate plus group (Group 3);
- (c) perceptions scores in Group 3, the middle group, are the highest in the entire cohort.

¹³ Underlined figures indicate minimum perception scores; figures in bold indicate **maximum perception scores**.

Overall, the comparison of (*means of means*) perceptions and standard deviation scores signals Group 3 as the most satisfied (Fig. 4.2) and Group 1 as the least satisfied group: Group 3 ($M=4.514/SD=0.771$); Group 1 ($M=3.6/SD=0.953$).

Fig. 4.2. Student perceptions scores/SD (*means of means*). Groups 1-5.

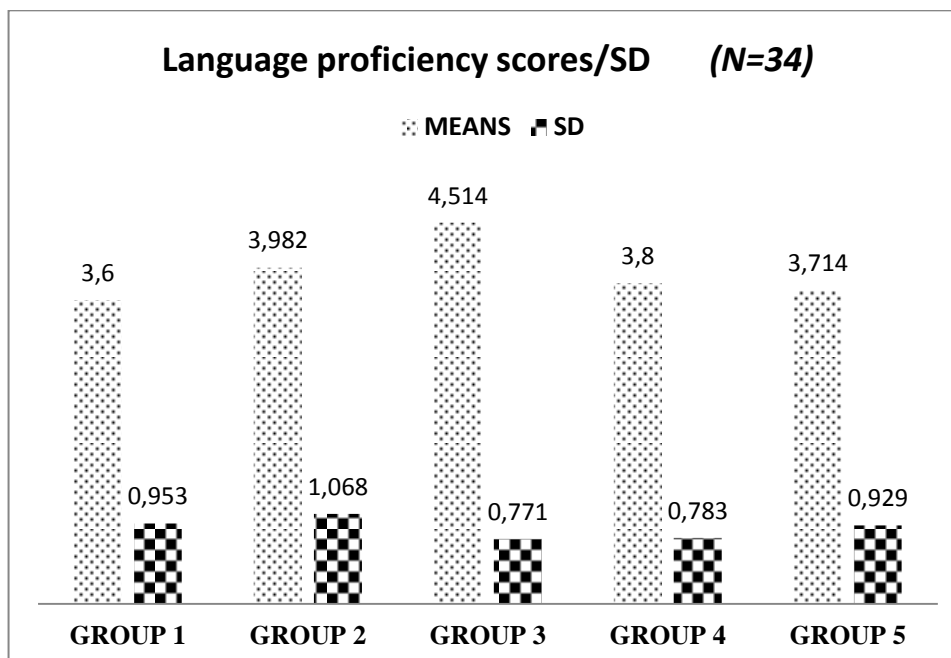


Fig. 4.2 highlights a pattern of consequence in this study in regards to EMI programmes in general (Coleman 2006; Wannagat 2007). Mixed perceptions data from this study indicate mixed reactions to the courses among students which in turn are linked to several aspects of learning a subject in a foreign language. Due to the complexities involved in learning a discipline such as law in L2 (Danet 1980) especially in higher education, where understanding and knowledge-based action are key components (Wells 1999), it is now clear that the ‘language question’ is central in this case study and therefore, it cannot be ignored or underestimated. This study shows that language needs to be dealt with explicitly, systematically and holistically. The study also shows that language learning is dealt with very differently in EMI and CLIL approaches. The differences are discussed in §4.1 below.

4.1. General Legal English issues in SLR3.

In this section, the data are examined taking mixed quantitative-qualitative sources to explore students and teachers perceptions in regards to language. Excerpts presented in the next subsections illustrate perceptions in each group. The criteria adopted for the selection of excerpts were ‘representativeness’ and ‘explanatory potential.’

Observations show that group tasks chosen by teachers to teach advocacy skills such as the mock trial and the case law method (e.g. presentations) are equally challenging activities for students. They both involve classroom communication but the nature of each task is distinct. In mock trials, students are engaged in highly coordinated group work. Here the challenge is to take part in a shared public speaking space where actors’ roles and participation require tight coordination and linguistic precision. Even though the roles are enacted individually, the theme of the case engages and expands the responsibility of each member to the entire group. The student needs to control organizational aspects such as timing, skills such as turn-taking along with choice of vocabulary.

Interviews and observations indicate that the mock trial engages students’ in a different type of language practice such as the use of language to defend a plea where the choice of words and expressions are crucial. The activity engages students in a shared project with its own logic, sequences and steps. To prepare for mock trial participation, students need to read, summarize and rehearse their parts well beforehand. The task is effective if students work together in a concerted manner and if the activity promotes the co-construction of discipline-related subjects and practices (e.g., advocacy). It is not effective if role-playing is perceived as too great a challenge, is associated with feelings of embarrassment (e.g. forgetting the parts to be performed, stuttering), fear (e.g. stage fright), anxiety (e.g. strong accents that cause message incomprehensibility) and uncertainty (e.g. about vocabulary, timing of turn-taking, content of a message).

By contrast, presentations engage students in a very different manner. In law school, the choice of cases for presentation is programmed, selected by topic, based on exemplar, representative cases (referred to as ‘landmark’ cases). The goal of presentations is not only to learn rhetorical skills but additionally to supplement the topic(s) in a lesson with landmark cases in view of enriching the learning of the subject matter while doing so in the FL. Here the quality of a presentation is crucial. The responsibility for the work done lies entirely on

the presenter. Because presentations are mostly individual, students face the double challenge of speaking to a classroom-audience in a situation in which the person presenting is fully responsible for the quality of the work delivered.

As a skills-developing activity, the mock trial is an optimal way to have students engage in dialogic and monologic interaction which demands coordination and working with others even at different levels of proficiency. By contrast, when a student delivers a presentation he/she generally stands alone with no more than notes addressing the audience; nothing separates the presenter from the audience; the presenter's language knowledge of the subject and skills is there for all to listen and assess.

In terms of English proficiency, there are different ways in which the mock trial engages students. For example, in Course 3, engagement was flexible enough to afford taking on different roles according to students 'real' proficiency levels. Those willing to take on the more challenging parts in the trial such as *counselor*, *judge*, *defendant*, *plaintiff*, *expert witness*, choose so because they generally view themselves as linguistically prepared for it. Those who are less at ease with a complex role usually choose a simpler part, such as *police officer*, *bank manager*, *bailiff*, *member of the jury*, depending on the case. Course 3 teacher adapted task demand to language proficiency by encouraging proficient students to take on the more challenging roles and low proficient students the least challenging ones.

Another positive aspect of advocacy skills, especially in the mock trial, is that they help both the shy and the confident role-player to stay focused for the duration of the activity. Moreover, it motivates the learner into developing cognitive skills such as explaining a point of view or defending a position, which in both cases involves complex argument processing and the use of rhetorical devices used by advanced language users. Preparatory work is of essence in both mock trials and presentations: it induces deep-learning approaches (Biggs 2003) that give the learner more control over his/her written work and oral practice, inducing learners to 'think like lawyers' in the FL.

Modeling, asking questions and feedback are three key cognitive assistance interventions for quality subject and language learning. Observations signaled the importance of feedback in language-related areas such as vocabulary, grammar and pronunciation, and rhetorical devices but not all SLR3 teachers provided an equal balance between language feedback and content feedback.

4.2. Students' and teachers' perceptions about vocabulary.

Nation (2002: 267) suggests that “for most second language learners, language-focused vocabulary instruction is an *essential* part of a language course.” Because the development of vocabulary is so important for acquisition, it is of consequence that teachers carefully monitor and control it when teaching L2 learners. Nation (ibid: 268) suggests that although “adult learners of another language may already be fluent readers of their first language” it is the size of the vocabulary that posits “one of the major barriers to reading in the second language.”

The language of a discipline is known to be vast and univocal, particularly in law. In SLR3, an important aspect of teachers' work is dealing with the legal vocabulary pertinent to their subjects. It involves not only learning the present meaning of a term but also being able to trace the changes in meaning of the term over time. By this is meant, locating the term etymologically by linking it to its foreign root (e.g. Latin) and delineating the boundaries of the term by identifying and discarding near synonyms. This operation requires not only knowledge of the language but also precision of use in different contexts which in law is of key import.

The best way to identify the types of vocabulary-related problems students encountered in class was through interviews and observations. Observations were instrumental for identifying conceptual and functional instances of student control of the lexicon. Dalton-Puffer (2007) comments that student control of the language for argument building is necessary if students are to progress from BICS to CALP, where the objective is to advance from presentation of facts to presentation of abstract concepts (cited in Llinares 2012: 221). Moreover, LE vocabulary boundaries in intercultural learning settings (e.g. SLR3) requires not only knowledge of legal terminology in the students' L1 but also knowledge of how the term is used in English. This means identifying, with the comparative method, the core meaning of a legal term and its use in a foreign language, in the context of the corresponding legal system. Below are a few examples of control/lack of control of legal vocabulary and the strategies students used. The above claims, and observations, provided the grounds for choosing vocabulary as a category for analysis in this chapter.

Group 1 excerpts indicate students were capable of processing new vocabulary and utilizing good strategies for dealing with gaps in knowledge:

Excerpt 4.9/Course 2/Italian student interview.

If I don't understand a term I just ask about the meaning of that term in particular. [...] Feedback helps a lot. [...] When you read for homework every day, and you get used to it, you make mistakes, that's for sure, but ((with feedback)) I don't have problems afterwards.

The meaning of "if I don't understand a term I just ask" indicates the student counts on his own strategies but also on precise feedback from teachers (both are experts in LE comparative methods).

Group 2 interviews indicate that students in this group are independent users. They show pro-activity and initiative by consulting definitions in dictionaries or favorite websites or, alternatively, by using strategies to understand the meanings of terms such as guessing the meaning of a term from context.

The Group 2 excerpts below illustrate the strategies used by students to fill their gaps in vocabulary:

Excerpt 4.10/Course 1/international student interview.

And it is easy because sometimes they explain you something and then there is *shares* and then you can click, What are *shares*? And by reading this you learn the vocabulary. You find everything in there. I don't know what it is *poison pill* and I go and look. You find everything in there, and you get a shortcut, an idea about it, so I just read it and I write my own glossary to try to understand it.

The student in Excerpt 4.11 indicates a variation of the strategy: learning technical vocabulary is a question of taking time to contextualize meaning:

Excerpt 4.11/Course 1/international student interview.

I think he ((the professor)), his English is very good and he is speaking very slowly and you have enough time between the sentences too; also if you maybe don't know the word, I can understand the sentence and then I can imagine and can learn more words by understanding, not by taking my dictionary and having a look and maybe after five minutes I forget it. I think he is doing really good. (.) I don't have any problems to understand what he is telling, nothing.

In Group 3, students encountered a greater number of unknown legal vocabulary compared to Groups 1 and 2, as in this student's comment below:

Excerpt 4.12/Course 2/ Italian student interview.

R Is the subject matter easy or difficult for you in English, meaning the subject, law?

S It is a bit different than (..) because there are some terms, unusual terms. For example [...] consideration, which are a different concepts; it's a different approach than Italian specific terms. So I must improve my English in a way I didn't before.

R The legal lexicon, right?

S The lexicon.

The student mentions 'consideration,' a key term in common law which clearly distinguishes civil from common law systems in contract law within the rubric of 'elements of a contract.' The student's words, "because there are some terms ...which are a different concepts ... than Italian specific terms" alludes to the fact that certain terms have different meanings: terms that exist in one legal tradition are either used differently or are absent completely in another tradition.

Group 4 students expressed even greater difficulties with vocabulary. Metaphors to represent concepts facilitate the L2 user in the processing of unknown vocabulary; yet this is not so for lower proficiency students:

Excerpt 4.13/Course 1/international student interview.

- S Ah, no, I mean some of the peculiar vocabulary [...] some vocabulary that's all.
- R *Some technical terms. What terms, for instance, have you learnt?*
- S About company and corporations law. [...] I can't think about any of them ((words learnt)), but (..) the 'white knights,' 'actionists' ((shareholders)) [...] it's about when a company wants to buy another one and the company that is going to be bought doesn't want to be bought by that ((company)). They ask, they start negotiating with a third company and that's the white knight.

In this excerpt, the student's cognitive processing is not facilitated by the metaphor. This is evidenced by the very simplistic way in which he explains the metaphor 'white knight' in the context of company law takeovers or acquisitions.

In Group 5, gaps in knowledge are noticeably greater, compensated by the need to seek native language translations in order to understand the meaning of technical terms:

Excerpt 4.14/Course 1/international student interview.

The fact is that in English I never learned legal terminology so it's quite difficult for me to read and to explain in English these things. Only when I learned these word, the translation in English of this word, that I can speak a little bit.

The comment above gives an indication of the student's language background. It depicts the opposite situation from the one illustrated by the Group 1 student in Excerpt 4.1 above.

Less competent students (Excerpts 4.15 and 4.16) tend to express themselves using their L1 to fill the gaps in lexical knowledge (e.g., *mucho mas*, *juridic*):

Excerpt 4.15/Course 4/international student interview.

Technical words, and at first, difficult to remember, but now, I don't speak very well in English but I understand *mucho mas*, much more.

Excerpt 4.16/Course 4/international student interview.

It has took a little time get more time to be comfortable with the English language, *juridic* ((legal English)) vocabulary.

Both students expressed similar difficulties and used similar strategies in dealing with legal vocabulary. The data show that proficient students see the language challenge from a rather different perspective. For them, speaking English feels natural and no translation from native tongue to L2 is needed, as the excerpt below indicates:

Excerpt 4.17/Course 2/international student interview.

English is the only language I don't have to think about when I'm talking. When I talk in Spanish or French or Italian, no. I have to think before and translate ((what)) I don't know. But I'm just talking English.

L2 users find it easier to control the LE language in the written as opposed to the spoken channel:

Excerpt 4.18/Course 2/Italian student interview.

I know that I'm making, doing mistakes ((when speaking)) but it's not also ((the same)) when I write, it's easy for me because I don't make so many language mistakes cause I can think a little bit.

Feeling pressure when speaking makes language expression challenging:

Excerpt 4.19/Course 3/international student interview.

I don't think that the language was a real barrier. Usually, so if I'm not pressed, then I don't feel nervous.

As far as teachers are concerned, their approaches to teaching vocabulary varied. The biggest contrast was between systematic guidance and non-interventionist approaches. Vocabulary is an effective way of measuring these two poles. This is how the non-intervention approach was formulated by one of the five teachers:

Excerpt 4.20/Course 4/teacher interview.

Where there are legal terms involved, yes, false friends. I try to draw their attention to important legal terms that would be useful for them. When there are issues of grammar and there is a discussion which takes place I might not always interrupt them. I might highlight that at the end of the discussion. I would tend not to interrupt the students in the middle of it.

Instruction is best represented in Course 3 where, the teacher frequently gives feedback on vocabulary misuses (source: observations). She does this by humoring students first and then explaining the difference between improper uses of words and those used properly.

4.3 Summary.

In mixed language proficiency classes, the higher the student's level of English, the lower the chances of learning new vocabulary. Examining the vocabulary portion of Table 4.2 shows that Group 1 and Group 2 students were the least satisfied with "learning and using new legal terms in English" compared to Groups 3 and 4. Advanced L2 learners do not perceive this aspect of the course as learning-intensive as expected, meaning that the vocabulary was familiar to them. By contrast, students in the low intermediate group viewed vocabulary as less fulfilling because of the difficulties found when in the process of using the new terms. Interview excerpts and questionnaire data (Table 4.2) signal Group 3, the intermediate plus group, as the most fulfilled in regards to learning LE vocabulary. The data constitute an intimation of the importance of "appropriate" language skills in courses where content is taught in a foreign language.

In regards to teachers, the greatest contrast related to ways in which they approached LE vocabulary. This was evidenced by the comparison between Course 3, taught by a native speaker of English, and Course 4, taught by a native speaker of Italian. In Course 3, the teacher used vocabulary as a key tool for raising the quality of the interactions in class whilst the Course 4 teacher very rarely intervened to highlight legal term misuses (source: interviews and observations).

4.4 Students' and teachers' perceptions about listening.

Listening comprehension is, according to Nunan (2002: 238), “the Cinderella skill in second language learning. All too often, it has been overlooked by its elder sister, speaking.” What is often left unsaid about listening is that when working on tasks “students are actively involved in structuring and restructuring their understanding of the language” (ibid: 240).

SLR3 observations and interviews confirmed that for low proficiency students, listening was a challenge, such as when they listened to colleagues' presentations. The data show that for Group 4 and Group 5 students, accents and speed at which an interaction takes place constitutes a formidable barrier to comprehension of what is being said. Data from questionnaires indicate that Group 1 students did not perceive improvements in their listening and oral comprehension. An examination of students' statements in different English proficiency groups is indicative. Interviews reveal that while some found listening problems to be related to other students' strong accents, for others, familiar accents, even if bad, were easier to understand than others, as the students below indicated:

Excerpt 4.21/Course 2/international student interview.

[...] for me it is not that difficult ((to understand debates and presentations)). I can easily read the cases and ((laughs)) the difficult thing is to understand the different accents from the people, from the French people, the Spanish people, Italians. I really have to get used to.

The student's laughter shows, evidenced by observations, that a strong accent may render listening comprehension virtually impossible. It relates to the belief that listening comprehension is facilitated where good native speaker and advanced speaker models are available:

Excerpt 4.22/Course 2/international student interview.

R So what are the obstacles? Which [...] where the parts [...] that you couldn't understand at all? [...].

S [...] Sometimes I can't understand. Cause, it's more difficult. It's really easy for me to follow when the German people or this American guy is talking. And I don't really have to listen so concentrated. That's easier for me, yeah.

One Italian student made a strong statement about the negative effects of bad models, criticizing his own SLR3 fellow nationals, student and teachers alike:

Excerpt 4.23/Course 1/international student interview.

Italians are bad language users. Their accents are usually the worst ((in Europe)). The professors ((especially the one who teaches the Course 4 course)) have bad accents. No wonder German students, who are the best ((in English)), complain.

One Group 5 student found that female accents were preferred:

Excerpt 4.24/Course 2/Italian student interview.

R You can't understand when the professor or the assistant speak or when the other students speak?

S It depends to the accent of the speaker. Yeah, that's obviously easier with female voices.

R Than with male voices?

S Yeah, yeah.

Students made comments about teachers' accents. Some were satisfied; others were biased in favour of the native speaker model. Here are two examples:

Excerpt 4.25/Course 2/international student interview.

It's almost the same thing as I had imagined before. Because I have imagined a course in which the professors they speak very well English, and then actually they did. [...].

And then I can have the chance to present, to practice my oral English, and to acquire more knowledge, legal knowledge from this course. I think that I have achieved these goals.

Excerpt 4.26/Course 3/Italian student interview.

I've only taken ((Course 3 teacher's)) course. All the other courses are traditional and taught by Italian professors with strong accents.

The student in Excerpt 4.25 makes an important link between listening to good English and learning law in English. The student in Excerpt 4.26 mentions his preference for the native speaker model (Course 3) over other models, corroborating the importance of comprehensible input in connection with content and advocacy learning (Chapter 2, §4.4).

4.5 Summary.

As mentioned above, in mixed English proficiency level classes, the likelihood of finding contrasting data is predictable. Looking at questionnaire scores in Table 4.2 from English proficiency groups shows that the lowest perceptions scores for listening were obtained in Group 1 ($M=2.50/SD=1.00$). This group subscribed “rather weakly” to the concept of improving listening comprehension in the course, as the data submitted above makes evident.

Examining listening in Table 4.2 suggests that both Group 1 and 2 students were the least satisfied with perceived listening skills improvements compared to those in Groups 3, 4 and 5. Advanced plus and advanced students said they were used to listening to spoken English and therefore listening for them was not a problem. Differently, Group 3 was “fairly strongly” satisfied with listening. Students in Groups 4 and 5 were also satisfied, as indicated by their above 4.00 perceptions scores, a good indicator of satisfaction.

The qualitative data show two noteworthy situations. First, advanced students perceived listening as problematic because of others' strong accents, particularly Romance language

speakers (Excerpt 4.23). During observations I could not help but notice that even for me some presentations were incomprehensible. For Haneda & Wells 2008 (Chapter 2, §4.5), interaction puts a premium on comprehensible input. First conceptualized in Krashen's "Input Hypothesis" (1983) and widely used in second language acquisition, as the ability/inability to understand a message which for Krashen (ibid) is the key to comprehension. If comprehensible input is poor, learning is compromised as well. Second, the threshold at which listening becomes comprehensible is of consequence. Evidence indicates that understanding others makes the difference in terms of useful and useless class activities. For instance, not understanding a case because of the presenter's pronunciation may render the presentation a waste of time in regards to learning. As Nunan (2002: 238) argues, because in oral communication listening and understanding are intricately related, incomprehensible input may constitute a barrier to understanding.

4.6 Students' and teachers' perceptions about reading.

Nation (2002) highlights the importance of reading for learning vocabulary. Reading LE, Lewis (1972: 314) highlights, can cause bewilderment and frustration for students engaged in understanding legal text in a foreign language. Reading is at the core of SLR3 course demands. It is the starting point for all SLR3 activities from building vocabulary or making a presentation to preparing for a plenary debate. The two students' excerpts below are representative of the strategies used to read cases. These strategies cannot be generalised to all groups since the data submitted in this case study shows they vary in complexity from group to group.

Representative examples from Group 2 are:

Excerpt 4.27/Course 4/Italian student interview.

[...] I read all the cases and then I underline the most important problems. Sometimes I do a summary, but ahem sometimes it's not useful [...] to make summaries because it's so clear the point of the court, that you just have to (..) underline.

When you want to know what was it about a case, you just need to go and see the last statement of the court and you can easily remember then what the [...] case was about.

Excerpt 4.28/Course 3/Italian student interview.

R *What strategies do you use to understand cases better?*

S I try to read first our case, the paper on which there is written the ah, the case law, the judgment. I try to understand and to underline something which is really important. And I try to repeat in English and secondly, I do the opposite thing because someone read it in Italian first. At the beginning, I read it in English first. And secondly, I try to underline this, underline the topics, and secondly I try to understand, understand it. Thirdly, I read it in Italian to certificate, to verify ((to check my understanding)).

This student's reading strategy attests to the differences in approach to reading. In this case the student reads first in L2 to get an overall understanding of the text. Then he switches to L1, to check for detailed understanding. Mention is made to the effect that this is not a generalised strategy. The reverse appears to be the norm, i.e., first reading in the most familiar language (e.g. mother tongue) and then in L2.

The Group 3 student below uses background knowledge to fill gaps:

Excerpt 4.29/Course 4/Italian student interview.

S Of course it's harder to read a judgment than anything else, cause there are many technical terms. But after a while you start getting to know them. You know, so(

R *)You see a pattern, similarities?*

S Yes. Like, all the judgments have got almost the same scheme, especially they come from the organization. We have been studying European law so most of them were ECJ ((European Court of Justice)) sentences, ((false friend: self corrects)) judgments. Sometimes we had someone coming from the court of first instance but they mostly from the same pattern. The harder thing is getting to know technical terms but like there isn't anything that a good computer with an internet connection can't solve.

Reading long and complex legal text in English is hard work, as this Group 4 interviewee pointed out:

Excerpt 4.30/Course 1/Italian student interview.

[F]irst, before read the case, I try to know what it is about. I search the Internet. I read the...it's a little trick. [...] I want to understand what I have to. First I know the solution, the judgment, some comments about it. Four, [...] five sentence, but this sentence ((false friend: means 'judgment')) is important. But also in the English sentence, in the first part of the defendant you have the summary of the case.¹⁴ [...] At second reading, I try to search some word that I don't understand. I am a little bit lazy, I don't like to search words. Sometimes, I can understand but it's a good idea because I can miss all the case because I can ((can't)) understand one word. [...] I prefer to try to understand it ((meaning: guessing from context as opposed to consulting)).

In Group 5 there is a greater propensity to carry out the first reading in L1:

Excerpt 4.31/Course 4/Italian student interview.

R *What strategies are you using to learn and to remember the cases? Since you're studying in English. What is your strategy?*

S At the first, I am reading in Italian, the judgment, because I don't have the background and I don't understand the terminological, *come si dice?* ((lacks words to complete the sentence. The expression, "come si dice?", means, "how do you say it?"))).

The student below, who speaks five languages, approaches legal literacy from a historical-comparative perspective:

¹⁴ Reference is made to the style adopted in casebooks such as the contract law handbooks used in Course 2. One example is: Beale et al (2002). Cases in this and other handbooks are generally divided into sections according to topic; within each section, each case is summarized into 4 sections: *facts*, *applicable law*, *holding* and *judgment*.

Excerpt 4.32/Course 4/international student interview.

First I read it, so after I try to resume ((summarize)) the facts and then yeah what the court said and when I have time, it's not always the case, but to try to understand what the differences with the other cases before and if there is cases after ((the judgment)) to understand the impact, the changing.

Two reading-related questions were asked to the teacher in Course 1:

Excerpt 4.33/Course 1/teacher interview.

R *Do they tell you occasionally what strategies they use for unpacking legal literacies [...]?*

T No, they never tell it. I'm not sure why but maybe because they simply don't want to say how many problems they have. Occasionally, someone will ask me before the presentation if he has understood the case, but it is quite occasional.

Excerpt 4.34/Course 1/teacher interview.

R *What are the bottlenecks for students to learning in the course?*

T I think mainly the language. [E]specially because what I ask them is to read and present cases, and in the integral version not only the casebook versions. [...] So it's not easy to understand and there are a lot of procedural complications.

4.7 Summary.

The picture that emerges from *reading*, from quantitative data in Table 4.2 and qualitative data (students interviews), corroborated by observations, is compelling. First, highest and lowest perceptions scores were obtained in the advanced plus (Group 1) and low intermediate group (Group 5), respectively. Second, that the remaining data perceptions scores indicate (Table 4.2) that the highest reading perceptions scores (Group 1) are followed by those in Group 3, rather than those in Group 2. This corroborates once more the data reported above in respect to Group 3 high scores in the other categories.

One of the key points made by students is that reading is very important. LE has a complex syntax and technical vocabulary that renders understanding legal texts challenging. New words constitute barriers to data processing, making it troublesome for students to stay focused. As Course 1 teacher observed in regards to reading, students “simply don’t want to say how many problems they have.”

The qualitative data highlight that Group 1 students read case law in English with greater ease than other groups. The strategies used by them to manage the material, showed greater resourcefulness (e.g. partitioning it into sections, writing summaries, making lists of words, writing down key points). In all but this group, the nature of legal text, such as court judgments and related literacies, were beyond students’ readiness to cognitively process the material to the full extent in L2.

4.8 Students’ and teachers’ perceptions about interacting.

Wells (1999: 85) writes that the dialogic inquiry framework “[s]tarts with personal experience which, amplified by information, is transformed through knowledge building into understanding.” It is through this transformative spiral-type process called by the author the ‘knowledge-building cycle’ that learning is enriched at growing levels of complexity. The cycle involves *experiencing*, *information gathering*, *knowledge building* and *understanding*. The learning cycle, according to Wells (ibid: 85), starts with providing opportunities to engage in interaction for the co-construction of knowledge and ends with understanding, which is the ultimate goal of each turn of the knowledge building cycle, and the ultimate goal of education (Chapter 2, §4.5).

One Group 1 student found interacting positive because it unleashed his thinking:

Excerpt 4.35/Course 1/international student interview.

[D]uring the lectures, speak, make the points, you know, writing down notes. It’s not only about learning academically, it’s also about, it makes you think: the questions make you think. That is the point I like.

A Group 2 student mentioned that spending more time on team work would make the lessons in this course more engaging:

Excerpt 4.36/Course 2/international student interview.

[...] when I don't understand this case because I don't know, strong accent, or I'm too tired, I can't really participate. I think maybe it could be better if, when [the teacher] is talking, it's really good lesson. So maybe sometimes we could do [...] one part of the lesson like just he's talking and explaining some stuff and later on, [...] maybe it would be better if we could work in groups so that everybody could talk and everybody could participate.

The proposal forwarded is not shared by all, as pointed out by the Group 3 student below:

Excerpt 4.37/Course 4/Italian student interview.

In this course [...] I have a difficulty that is not linked with my language skills, which is the difficulty to speak in public. And so with English, ahem it's more difficult. If you have to do this speaking English too, but actually I didn't have problems with my English just this problem to, okay I have to speak [...] loud, with the professors. It always happens that my mind (.) I feel like my mind can't work. This is my problem because I am very shy, anxious. With the English, I didn't have the problems with the language.

Some, as in the case of this Group 3 student below, commented that interacting is useful provided feedback is given:

Excerpt 4.38/Course 1/Italian student interview.

This course [...] mixes a lot of things that students are not used to do: speak in English, facing each other, with a professor that can say, "Hey, no, you are mistaken, you are saying something that has nothing to do with the subject," and, you can make a lot of change for the future because, especially being a lawyer, you have to talk and be very strong and convinced of what you say.

Three Group 4 students mentioned feeling restrained and embarrassed when interacting:

Excerpt 4.39/Course 1/international student interview.

I cannot be free speech, I learn ((memorize)) what I want to say, the part, and at the moment I don't quote what I wrote before.

Excerpt 4.40/Course 1 and Course 2/international student interview.

It is a little bit different, because I don't have a lot of [...] maybe know a little bit more but at beginning I lost all my freedom.

Excerpt 4.41/Course 2/Italian student interview.

R Tell me how you feel about participating in the course, your language proficiency and skills?

S I'm really embarrassed [...] because other people speak English better than me. And so I often stay quiet.

Group 5 students felt ill prepared for public speaking: it appeared daunting and shyness prevented them from participating:

Excerpt 4.42/Course 3/international student interview.

R [...] How do you feel about speaking in class, giving opinions, telling others what you know or about your position on a case? [...]

S Ah, I'm a little bit shy. It's not because I don't know about the legal problem because when I raise my hand to answer it is really because I know it and I want to say it, but if there is another person to speak I...(pause).

This is understandable in lieu of Llinares et al.'s (2012: 220) suggestions that students learning content in L2 or AL do not just need to learn the content; they also need to be taught the interpersonal function, which is the language "used to understand and express attitudes towards the academic content." This requires the capacity to go beyond facts and expression of memorized sections of content towards academic, disciplinary language which is particularly challenging in L2. Llinares et al. (2012: 221) address the issue of the importance of argumentation "for understanding content more deeply and, at the same time, for allowing

students to use and learn the foreign language for a wider range of communicative purposes.” This requires teacher support in the form of instruction and explicit feedback.

The student in Excerpt 4.43 below makes a distinction between social and academic uses of English to explain her language difficulties:

Excerpt 4.43/Course 3/international student interview.

Si, because it is different conversation between two persons when I’m speaking about my life. And the course of contract, not when I’m speaking about my life, is a vocabulary very specific in French and in English more.

One SLR3 teacher does not see the need for academic language instruction:

Excerpt 4.44/Course 1/teacher interview.

R What about the language itself, are you able to, at the beginning, make it clear to them what kind of language they will be using for that ((particular)) case, for the course, for the subject they’re studying, like company formation for example?

T No. Actually, I don’t do that but I don’t see any problem under that standpoint. I think that they are able to [...] I don’t know if it is universal ((in other courses)) but *our* students usually dominate ((command)) English enough to be able to understand what we’re talking about.

R So you think that those attending have a good level of English?

T Yes. And they usually have. Sometimes they don’t have a good pronunciation. They show very clearly that they are Italians but I don’t see any problem with that. They focus on the points.

It is difficult to know for certain whether this teacher actually believes in what he is saying or whether he is saying it to give a good impression about the course or programme. On the other hand, the students are less likely to be economical with the truth because they have nothing to lose. It would be useful in courses such as SLR3 if teachers were able to make ‘expert’ distinctions between ‘conversational’ and ‘cognitive/academic proficiency’ language (Cummins 1985: 138), i.e., everyday context-embedded language (ibid: 139) used in casual

conversations, given the importance particularly for students in law schools, to process and manage abstract/academic language.

One teacher suggests intercultural teaching adds complexity to the work:

Excerpt 4.45/Course 2/teacher interview.

When you have a multi-linguistic class, you have students from different parts of Europe and sometimes outside Europe which have very different backgrounds and this means teaching, which is what generally happens when you go in England or the US, you find all these mixed classes from various jurisdictions and this was, obviously, this creates a further element of complexity.

Speaking in L2 at university is still an unresolved issue in Italian education (Costanzo 2003). It is often the case that Italian students graduate with no productive language skills (speaking and writing) whatsoever. For teachers, the complexity lies in introducing changes in the teaching-learning process to empower students, beyond the comfort zone of teaching-learning through lectures. For one of the Course 2 teachers, this new way of teaching adds value to students' education. It empowers them to speak in L2 by:

Excerpt 4.46/Course 2/teacher interview.

using English [...] not only to learn law in English but to [...] communicate. [...]. This is why I think after four years we can say that the program has a certain success.

4.9 Summary.

Table 4.2 data show *interacting* obtained the highest perceptions score ($M=4.86/SD=0.38$) among language categories in Group 3. It confirms that for those who are ready to be challenged, interacting is viewed positively. Those who compare traditional teaching with learner-centred teaching view taking part in plenary debates and discussions in class as a welcome change.

Examining Table 4.2 further, the lowest perception score for interacting was obtained in Group 5 ($M=3.29/SD=1.11$). This group viewed improving language skills through

interaction “rather weakly.” Groups 1, 2 and 4 gave an “about average” value to reinforcing language skills through interaction.

Qualitative data indicate that Group 1 students are well ahead of others in terms of their ability to interact. This comment is indicative of the importance of positive feedback: “I didn’t expect it to be so nice and that people are so understanding. Even if you say, like, I might have a problem, I don’t know that word and like yeah, easy, take it easy! It’s very relaxed.” Group 2 students were also satisfied with vocabulary and interacting. One student commented, “usually we don’t have any occasion to try this practice before we go out from the university so it’s quite interesting.” Group 3 students were the most satisfied, commenting that interaction was very useful particularly because it afforded them the chance to be corrected when needed. One Group 4 student explained how they went about organizing group work in class to “democratically” provide space for interaction for all students equally: “We tried to, eh, like give every single one of us like the same amount of time, the same possibility of like being seen by the professor so I think that we did it in a nice socialistic way.” Other students in this group (Group 4), however, mentioned that interacting made them feel restricted and/or shy. Finally, Group 5 students felt they were not at ease with this skill because they felt unable to contribute to the discussions. Making comparisons between what they could do and what others could do in terms of language proficiency and ability to interact in English made them feel even more inadequate and ashamed. One student said she found herself in the following predicament: “I used to speak really better English. For example I think my English level at 18-years old was so, so better. And now that, like a child.”

4.10 Students’ and teachers’ perceptions about presenting.

This category is for students one of the most challenging course experiences. Presenting in SLR3 involves speaking to a critical and potentially knowledgeable audience (others may know the case(s) presented), with similar experiences (preparing/presenting a case) to their own. This includes the teacher who assesses their preparatory work and their performance. Data show that groups reacted quite differently to this experience. In Group 1, predictably, presenting is the least challenging activity. Here is a representative excerpt:

Excerpt 4.47/Course 1/international student interview.

R *What about when you present? What kind of experience have you had when you have presented in this course?*

S I presented today ((laughs)). I don't think it is anything difficult, He's not intimidating, the lecturer. He's really not, that's why you feel comfortable. It's not like you are there and he's going to stand there and he's going to judge you about what you say.

Group 2 students scored presentations the highest (Table 4.2). One such student was critical of presentations. For her, it is difficult to learn from colleagues if their English is insufficient:

Excerpt 4.48/Course 2/international student interview.

[...] I think there's too many presentations. But I think for some of the students, whose English is like ((makes gesture to indicate impossible)) really they can really improve their English very much. They...well, most of the people, most of the Italians and Spanish can write their presentations out and read it out.

In her view, “we learn more from teacher instruction than from our colleagues which we find hard to understand.”

The student below found presentations difficult for a different reason:

Excerpt 4.49/Course 2/international student interview.

It is difficult for me but it is also difficult in German. It is not the language problem. I'm always nervous when I have to talk in front of a lot of people. It's not only the language but I always get red and nervous when I have to talk. [...] I get nervous but it is [...] that people are not really interested in what you are saying so you are presenting to yourself and somebody is writing and another one is drawing or sleeping. So you think, okay, “I'm just doing it for me.”

Presenting engages processing legal literacies and communicating the results in public:

Excerpt 4.50/Course 1/international student interview.

- R *Could you tell me how you felt when you presented the case in class: before, while you were doing it, after?*
- S)I think it was really difficult. Also that I speak English because I am used to read German cases and it's kind of similar but then in English they have all these head-notes and it's a little bit confusing to figure out., "So what is the main point?" [...]. So I don't think it was ((challenging)).

The point made by the student is that people at any proficiency level can become anxious about presenting, regardless of their level of English. The biggest cause of anxiety is a negative outcome, which according to Gudykunst (1995), adds uncertainty to a task. Group 2 students valued the activity highly, as the perceptions scores evidence ($M=4.55/SD=0.52$). Some mentioned having problems with presentations now as they did in the past in school. Here is an example:

Excerpt 4.51/Course 1/Italian student interview.

- R *How was that experience?*
- S Terrible. It's so terrible for me because when I speak before too many people, and part of the people can understand me if I speak Italian, I ((laughs))...
- R *[...] What about participating in class when [the teacher] asks questions. Do you feel inhibited?*
- S I have never done it. Even in school, in Italian. I am shy about it.

In Group 4, one student sums up her anxiety about presentations in the following way:

Excerpt 4.52/Course 2/Italian student interview.

I have to speak in front of a lot of students. But it was more to NOT make mistakes the problem.

By contrast, another Group 4 student saw the activity positively; a chance to be noticed:

Excerpt 4.53/Course 1/international student interview.

R So, how about when you are the protagonist? Let's say when you have to prepare and give a presentation for others in class. What can you tell me about that?

S I love it in the sense that the protagonist, because you know everyone is listening, and I can't make mistakes, but okay, it's the same as asking a question to the professor, just the same like that, like, but you have to work a bit more.

In Group 5, confirmed by interviews and observations, students with limited language proficiency felt awkward when in the act of addressing the class:

Excerpt 4.54/Course 3/Italian student interview.

R Tell me how you feel about participating in the course, your language proficiency and skills?

S I'm really embarrassed. Because other people speak English better than me. And so I often stay quiet.

This student corroborated something that emerged from observations and interviews, i.e., that of calculating the "safest distance" from the professor to avoid being asked questions in class (best strategic choice: retreat to the back row):

R You stay quiet, and you sit in the back or do you sit in the front?

S No ((not)), in the front. [...]. Yes, I sit more in the back because ((laughs)) I was alone at(

R)In the front?

S In the front of the professor.

Teachers insist that presentations are good 'engaging' activities; they add value to SLR3 pedagogy:

Excerpt 4.55/Course 2/junior teacher interview.

Well, certainly in a moment in which you incentivate ((encourage)) them to research something, or to prepare and give a short presentation and they know that they will have to present in front of the class. This is more of an incentive than simply listening and taking notes and preparing for the final exam.

They also understand the impact this way of teaching has on students:

Excerpt 4.56/Course 2/junior teacher interview.

Well, I would say in general, [...] the first impact is that they are not used to having assignments and having to give oral presentations during the course. So, they tend to be a little bit nervous before the first presentations. Then, once they understand how it works, they relax in the second round. Most of them present two or three times during the semester. The second presentation is always much easier for them.

This teacher states her views about the SLR3 method and the so-called ‘lecture method:’

They do have an impact with the different kind of methodology we use here. They are used to a frontal lecture. Here they have lessons in which they are given assignments and they have to prepare for class.

The excerpt below highlights the language as the course’s added-value:

Excerpt 4.57/Course 2/senior teacher interview.

these students are not only learning English language skills but they are using English among themselves as the vehicle for communicating about various aspects and various problems.

The excerpt shows once again that teachers are all very enthusiastic about the methodology but are unaware of the stress some students are being put through.

4.11 Summary.

Table 4.2 shows strong differences among students in regards to presentations. The most satisfied group is Group 2. Figures indicate this group finds presenting useful. By contrast, Group 4 is the least satisfied. Group 4 results are closely followed by those in Group 5. The difference between Group 2 and Group 4 in regards to *presenting* is important as indicated by data displayed in Table 4.2 and interviews.

Qualitative accounts show that Group 2 students perceive their English proficiency level to be sufficient enough to prepare a good presentation; the real challenge is mastering performance. On the contrary, for Group 4 students, presenting makes them feel less in control and acutely aware of the presence of an audience (e.g. Excerpt 4.52: “I have to speak in front of a lot of students”) where there appears to be no allowance for error. In the student’s words, “it was more to NOT make mistakes,” which was at stake with presentations. But this may also be viewed as an opportunity to focus on the subjects because “everyone is listening, and I can’t make mistakes” (Excerpt 4.53) indicating that it is a matter of preparing better. One Group 5 student stressed the point even more: “It is frustrating to not be able to express what you know to others, especially in an open communicative situation.”

5. DISCUSSION.

5.1. Explaining the quantitative data – findings and patterns.

A summary of the quantitative scores reported in Table 4.2 and Fig. 4.2 are the following:

Group 1 obtained two (out of five) lowest perceptions scores and corresponding standard deviation (Table 4.2) for *vocabulary* ($M=2.50/SD=0.96$) and for *listening* ($M=2.50/SD=1.00$). This group, however, obtained the highest scores ($M=4.75/SD=0.50$) for *reading*. The group’s (Fig. 4.2) overall (*means of means*) perceptions scores are ($M=3.60/SD=0.953$).

At the opposite end of the continuum, Group 5 (Table 4.2) obtained two (out of five) lowest perceptions and standard deviations scores for *reading* ($M=3.57/SD=0.98$), *interacting*

($M=3.29/SD=1.11$) and next to lowest scores for *presenting* ($M=3.57/SD=0.53$) and *vocabulary* ($M=3.86/SD=1.07$). The group's overall (*means of means*) scores (Fig. 4.2) are ($M=3.714/SD=0.929$). In sum, Groups 1 and 5 (Fig. 4.2) obtained the lowest overall (*means of means*) perceptions scores and comparatively high standard deviation scores: Group 1, ($SD=0.953$) and Group 5, ($SD=0.929$).

Group 3 instead obtained highest perceptions scores (Table 4.2) in three categories, *vocabulary* ($M=4.71/SD=0.48$), *listening* ($M=4.43/SD=1.13$) and *interacting* ($M=4.86/SD=0.38$). The other two categories, *reading* and *vocabulary*, were also comparatively high. For *reading* and *presenting* (Table 4.2), the scores were respectively ($M=4.14/SD=1.07$) and ($M=4.43/SD=0.79$). Overall (*means of means*) scores (Fig. 4.2) indicate that this group obtained comparatively the highest perceptions scores and the lowest SD scores ($M=4.514/SD=0.771$).

The results obtained from the two 'in-between' groups, Group 2 and Group 4, are also interesting: Group 2 (Table 4.2) obtained highest perceptions scores for *presenting* ($M=4.55/SD=0.52$) which is indicative of positive views towards an activity considered by most students either difficult, time-consuming, useless or boring. The group's overall (*means of means*) perceptions/standard deviation scores (Fig. 4.2) are ($M=3.982/SD=1.068$). Group 4 (Table 4.2) obtained no highest perceptions scores in any of the LE categories but this group did obtain the lowest perceptions scores (Table 4.2) for *presenting* and the highest standard deviation scores in that same category ($M=3.50/SD=1.00$). The group's overall (*means of means*) perceptions/standard deviation scores (Fig. 4.2) are ($M=3.8/SD=0.783$).

Results indicate that students in SLR3 are saying different things in different proficiency groups. First Group 3, the group which obtained highest perceptions scores overall and no lowest scores in any of the LE categories, indicates this is the group which perceives the courses most positively. Next, Group 1 (Table 4.2) obtained highest perceptions scores in correspondence with lowest standard deviation scores (together with Group 4) for *reading*. Interestingly, Group 1 obtained the lowest perception scores in two out of five categories, *vocabulary* and *listening*. In addition, the highest perceptions scores were obtained in Group 2 for *presenting* and no lowest perceptions scores in the other four LE categories. Moreover, the lowest perceptions scores were obtained in Group 5 for *reading* and *interacting*, and high standard deviation scores in the same two categories: *reading*

($SD=0.98$), *interacting* ($SD=1.11$). Finally, the lowest perceptions scores were found in Group 4 for *presenting*.

Main data from students perceptions that corroborate the results and give explanatory power to interpret the patterns in (Table 4.2) and (Fig. 4.1) are the following:

- the data show that *vocabulary*, a category which in this context is linked to learning content, to communicating effectively and to processing legal literacies accurately, was found easy, manageable, accessible and perceived positively in Group 1, the advanced plus (C2) group.
- the data also indicate that students in Group 1 were those most confident about giving presentations. They demonstrated their ability to manage time appropriately, talked about interesting issues, provided examples, presented arguments, were confident and even entertaining;
- the data show that Group 5 students, contrary to Group 1 students, took a subdued approach to SLR3: they did not have a good command of the language, their cases were ill prepared, they gave shorter and confusing presentations and tended to speak only when explicitly addressed;
- advanced plus and advanced students (Groups 1 and 2) were impatient with colleagues' poor language proficiency and skills and lack of adequate preparation of presentation work, with resulting lack of command of the subjects discussed after the presentations and timidity rather than confidence about the arguments presented. This group viewed presentations as a way to learn more about the topics by engaging in preparation and research, presentation and post-presentation Socratic dialogue work;
- observations evidenced that less proficient presenters failed to deliver their cases adequately. Their presentations, read directly from notes, were confusing and these students failed to develop and present clear arguments regarding their cases or to discuss them critically with colleagues in class;
- language was also a problem during the performance of advocacy practices. Language background helps or hinders progress and fulfilment of course demands involving the development of legal skills;

- students mentioned that reading allowed them to become familiar with core legal concepts and vocabulary; this LE skill was perceived as the least threatening. Students felt they had better control of the subjects, which they mentioned allowed them to work at their own pace, to stop and consult dictionaries and websites, and to translate terms from FL to L1.
- interacting in English was at first difficult, but as the course progressed, students gained confidence about their ability to communicate. However, low English proficiency students were intimidated by the communicative nature of the methodology which they view as related to their incapacity to interact at an academic proficiency level. Observations showed that several students failed to find the right words to express their views when taking turns in plenary debates, presentations or mock trial simulations.

5.2. Explaining the qualitative data – findings and patterns.

The case study data indicate that in a mixed, international programme such as SLR3, the inability for some students to cope with the language demands of the course compromises their own and other students' learning. The fact of having some students operate at survival levels in English in class while others grew increasingly impatient because of their language difficulties is in itself an issue that at times reduced the quality of T&L. It is in these types of situations, that the language issue needs to be addressed explicitly. Examples in SLR3 courses are many. For one, proficient students find strong accents difficult to process (Excerpt 4.1, §3.1). In parallel, less proficient students find very fluent near-mother tongue English speaking students and teachers equally difficult to process. This compromises their freedom to take part in course plenary debates or to exchange ideas in a co-constructive manner (see Chapter 2, §4.5).

In relation to *vocabulary*, the data show that legal terminology was handled differently by SLR3 teachers in each course. Interviewees claimed that learning vocabulary terms and phrases during the instruction part of the lesson and through readings was useful and necessary to access disciplinary content. Not knowing the technical legal terms constituted roadblocks in their learning of English and the law. To learn language and content as parallel,

connected subjects, requires facing the language problem: the teaching of vocabulary in law courses is of crucial importance, at times too important for students to learn the legal terms on their own and non-systematically (source: semi-formal conversation with Course 2 senior teacher). This resonates with Hunt & Beglar's (2002: 258) argument that developing word knowledge takes place by way of extensive reading (incidental learning), lectures (explicit instruction), task-based activities and individual work (independent strategy development).

In EMI courses, as in this case study, students autonomously supplemented their vocabulary gaps in knowledge by developing their own strategies. Sources of new, unknown technical vocabulary in this case originated from teachers, presenters, colleagues, materials and others sources of information (e.g., dictionaries and websites) as well as during debates, Socratic dialogue questioning and advocacy practices. Strategies developed by these students consisted in creating their own lists of legal terms, as mentioned by them, to 'fix' the new terms and their meanings in their minds. Others preferred to focus on the word in context rather than consulting dictionaries (Excerpt 4.30, §4.6).

In regards to *listening*, strong accents compromised understanding and learning. Observations show that pronouncing unknown legal words is a challenge for students, particularly if they have never had good English speaking models. Lack of listening ability is an obstacle in communicative activities such as debates, Socratic dialogue and presentations. Only one teacher spent time correcting mispronounced words and helping students with pronunciation. In general, teachers ignored accents (source: observations) even if many students felt that a good pronunciation (comprehensible output) was an important aspect of understanding, of learning and of motivation to stay connected. Where pronunciation was not dealt with, some students, particularly in Group 1 developed intolerance towards students who had strong accents. At the opposite end of the continuum, Group 5 students found understanding what others were saying in class very challenging, yet this group did not perceive others' strong accents negatively; the assumption is that presenters with strong accents are similar to their own.

In regards to *reading*, students found that this skill was the best way to become familiar with core disciplinary topics and concepts. For students, reading was the least intimidating of the five skills. The advantage perceived was that reading allowed the student to have control of the language much more than interacting and writing. Reading strategies were of several kinds. Proficient students mentioned reading the materials for the first time directly in English

and underlining text they did not understand as they read. Next, they read for a second time and looked up the new terminology, associating it with a technical definition to improve their understanding of the text (Excerpt 4.28, §4.6).

Less proficient students, on the other hand, approached reading differently. The most common approach was to read the materials for the first time in the MT, if translations existed, in order to obtain a general understanding of case, judgment, court decision or other content. The second reading was done in English with the help of a dictionary or online word lists.

In regards to *interacting*, students found that compared to presenting, this skill was more spontaneous but less controllable linguistically. Interacting reflects a student's 'real' proficiency level, manifested in their ability to communicate in English fluently, initiate and end turns, command the grammar structure of the language, include appropriate legal terms in the process of interacting. For this, and in particular for low proficiency students, interacting was viewed as intimidating. Findings indicate that several students saw themselves as targets of colleagues' and teachers' scrutiny since, in open debate and related activities, differences among speakers is easily detectable.

Interestingly, interacting was most appreciated by Group 3 students because it meant using a completely different approach to learning law through 'learning by doing,' i.e., learning through practicing using the language for which these students felt ready. For some students, the interactive approach helped remove blocks in communication. As one Group 3 student said, "I am not the person raising her hand to speak. I'm not that one, and so I think this experience has helped me to do this more."

In relation to *presenting*, students found that this was by far the most challenging activity in SLR3. Interviews and observations revealed that good presentations are backed by good preparatory work which entails, according to students, at least two readings of the assigned case(s) and subsequently, prior to the presentation, identifying and checking unknown words, if necessary, translating new legal terms into the MT, and additionally, developing a well-structured presentation outline, carrying out research (library or internet) to structure the presentation and rehearsing delivery of the final product.

Findings indicated that even though the task is intimidating, SLR3 teachers viewed presentations as pivotal for developing legal reasoning argumentative skills. It was the single mandatory activity, implemented in all SLR3 courses aside from the mandatory final

assessment (essay or exam). Interview and observation data, however, indicate that presentations come in all forms and shapes. They vary considerably from student to student. The presenter's English proficiency level is certainly important. Equally important is the way presentations are delivered. Group presentations are much easier to manage. It is this researcher's view that although these presentations lower the anxiety level of those involved in that the presenters are not standing alone in front of the class for 20 minutes facing the audience on their own, this kind of presentation has its drawbacks. Group presentations can cause organization and engagement issues. One advanced Group 2 student reported on how group presentations tend to put a premium on the coordination of each intervention. He found that each member of the group had his/her own idea of how to coordinate the work making it difficult to harmonize the task. This is compared with the view of a Group 5 student who mentioned that presenting in class, "is very interesting because when I have time to prepare, when I do written the exercises but at the same time I can express myself with this prepared work, yes, it is too much time for thinking."

As illustrated from interviews (e.g. Excerpt 4.20, §4.2) and observations, SLR3 teachers failed to provide adequate educational space for the language part of the curriculum. Law courses are taught in English but English, the medium of instruction, is not a curricular subject as in similarly programmes (e.g., CBI and CLIL). In view of the many difficulties students expressed with language in this EMI course while in the process of learning the law in English, a step beyond the present condition in SLR3 is needed. One option is the CLIL design which represents a sea change in language and content programming because of the de facto shift in focus from traditional subject matter teaching to the integration of two subjects, LE and subject matter. This is particularly so in international courses where students speak different MTs, come from different cultural backgrounds and participate at markedly dissimilar levels of English.

The next chapter deals with LE and T&L in the four courses.

CHAPTER 5

PERCEPTIONS OF LEGAL ENGLISH AND TEACHING AND LEARNING

1. INTRODUCTION.

The principal goal of this chapter is to make generalizations of students' and teachers' perceptions of experience in reference to LE and T&L in SLR3 courses based on data gathered from questionnaires ($N=67$), interviews ($N=34$) and observations ($N=12$). In this chapter, placing the focus on individual courses added a new perspective from which to examine and analyse the submitted data to provide answers to main and subsidiary research questions (Chapter 1, §5). The chapter first compares students' and teachers' perceptions in four courses and subsequently explains, discusses and draws generalizations from findings in all four.

Section 2 below introduces comparisons in four SLR3 courses.

2. A QUALITATIVE-QUANTITATIVE COMPARISON.

Comparisons of participants' perceptions, both quantitative and qualitative, based on questionnaire, interview and observation data, constitute the foundation for explanations and discussions of findings leading to generalizations in this case study. The section first illustrates data from questionnaire responses gathered in five LE and five T&L categories. This is followed by a representative display of excerpts from the data gathered through interviews and observations in the four courses.

Tables 5.1 and 5.2 show questionnaire comparison data based on LE and T&L categories in four courses. For the LE theme (Table 5.1), students' perception scores represent

the results (*means*) from five categories: *vocabulary*, *listening*, *reading*, *interacting*, *presenting*.

Table 5.1. LE perceptions scores/SD (*means*) in Courses 1-4.¹⁵

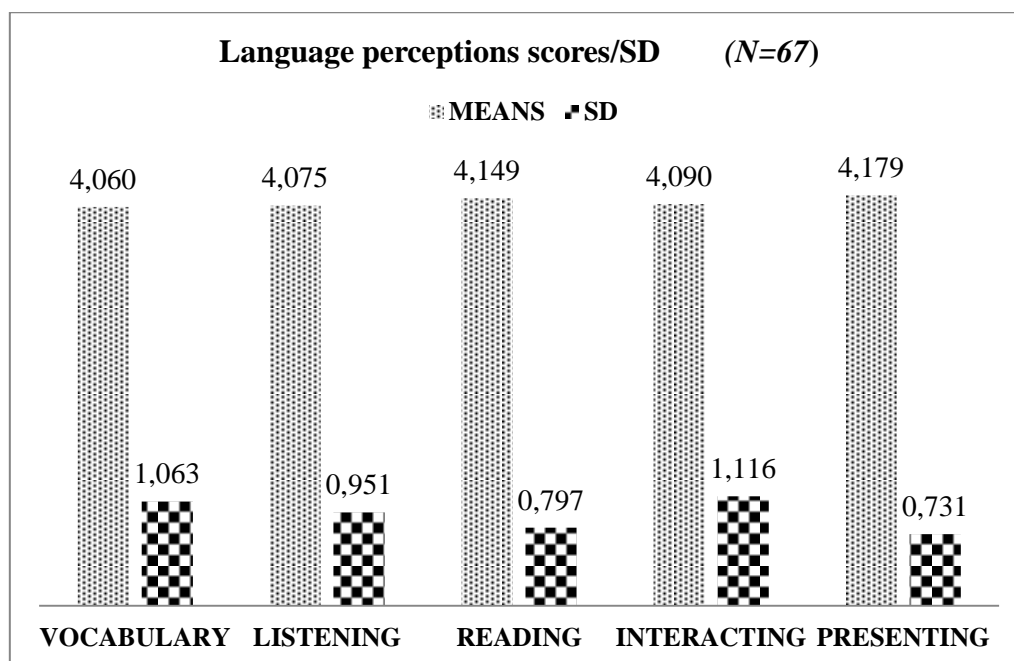
Language scores/ Courses (N=67)	Vocabulary	Listening	Reading	Interacting	Presenting
	Mean (SD)	Mean (SD)	Mean (SD)	Mean (SD)	Mean (SD)
Course 1 (N=16)	4.50 (0.79)	4.31 (0.68)	4.25 (0.43)	4.13 (1.11)	4.25 (0.75)
Course 2 (N=14)	<u>3.14</u> (1.25)	<u>3.57</u> (1.24)	<u>3.93</u> (1.03)	<u>3.79</u> (1.32)	<u>4.00</u> (0.85)
Course 3 (N=14)	4.21 (0.86)	4.00 (0.76)	4.07 (0.80)	4.07 (1.10)	4.07 (0.59)
Course 4 (N=23)	4.21 (0.88)	4.26 (0.90)	4.26 (0.79)	4.26 (0.94)	4.30 (0.69)

In Table 5.1, the data illustrate a number of research relevant language-related issues. First, that highest perceptions scores were found in two courses, indicative of LE preferences as follows: (a) Course 1 obtained highest scores for *vocabulary* and *listening*; (b) Course 4 obtained highest scores for *reading*, *interacting*, *presenting*. Second, at the opposite extreme, lowest scores were obtained in Course 2, from all five LE categories: *vocabulary*, *listening*, *reading*, *interacting*, *presenting*; Third, Course 3 obtained neither highest nor lowest scores: data show a narrow range of perceptions score results, for all five categories, from a lowest value ($M=4.00$) to a highest value ($M=4.21$), all above ($M=4.00$), which in Likert scale descriptor terms (Chapter 3, §3.5.1), indicates a ‘fairly strongly’ satisfied group of students with the language part of the course.

In Fig. 5.1, the LE (*means of means*) data from LE (*means*) in Courses 1-4, are reported below.

¹⁵ Underlined figures indicate minimum perception scores. Figures in bold indicate **maximum perceptions scores**.

Fig. 5.1. LE perceptions scores/SD (*means of means*). Four courses.



The (*means of means*) perceptions and standard deviation scores reported in Fig. 5.1 result from the average LE scores calculated for each of the five LE categories - *vocabulary*, *listening*, *reading*, *interacting*, *presenting* – with no distinction made among individual courses. The data indicate that students in SLR3 perceived *presentations*, the most challenging SLR3 activity, as the most positive and *vocabulary* as the least positive category.

In Table 5.2 below, data comparing four courses in five T&L categories are indicative of study-relevant T&L issues of an educational and curriculum design nature.

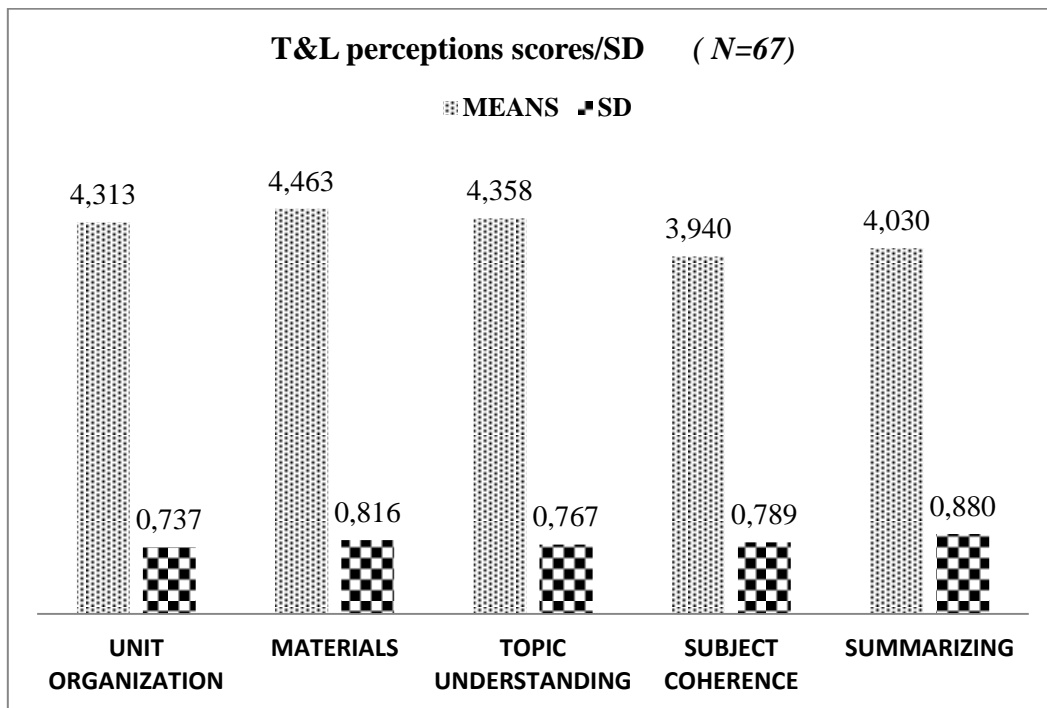
Table 5.2. T&L perceptions scores/SD (*means*) in Courses 1-4.

T&L scores/ courses (<i>N</i> =67)	Unit organization	Materials	Topic understanding	Subject coherence	Summarizing
	mean (SD)	mean (SD)	mean (SD)	mean (SD)	mean (SD)
Course 1 (<i>N</i> =16)	4.63 (0.60)	4.44 (1.04)	4.81 (0.39)	4.38 (0.60)	4.25 (0.97)
Course 2 (<i>N</i> =14)	4.57 (0.73)	4.57 (0.73)	4.57 (0.49)	<u>3.57</u> (0.62)	<u>3.71</u> (0.96)
Course 3 (<i>N</i> =14)	4.36 (0.61)	4.64 (0.61)	4.36 (0.61)	4.00 (0.76)	4.07 (0.59)
Course 4 (<i>N</i> =23)	<u>3.91</u> (0.72)	<u>4.30</u> (0.75)	<u>3.91</u> (0.93)	3.83 (0.87)	4.04 (0.86)

The data submitted above signal several case study-relevant issues for discussion. First, that Course 1 obtained the highest scores in four out of five T&L categories: *unit organization*, *topic understanding*, *subject coherence*, *summarizing*. The only category that did not obtain the highest scores in this course was *materials*. The highest score for *materials* was instead obtained in Course 3. Second, that at the opposite end, lowest perceptions scores show the following results: (a) Course 2, obtained lowest perceptions scores in two categories: *subject coherence* and *summarizing*; (b) Course 4 obtained lowest scores in *unit organization*, *materials*, *topic understanding*, the remaining three.

In Fig. 5.2 below, the T&L (*means of means*) data from the calculation of separate (*means*) in the four courses are reported below.

Figure 5.2. T&L perceptions scores/SD (*means of means*). Four courses.



The perceptions (*means of means*) and standard deviation scores reported in Fig. 5.2 result from the average T&L scores calculated for each of the five T&L categories – *unit organization*, *materials*, *topic understanding*, *subject coherence* and *summarizing*. The data indicate that students in SLR3 perceived *materials* as the most positive T&L category and *subject coherence* as the least positive one.

To summarize, quantitative data in Tables 5.1 and 5.2, based on 67 questionnaires, indicate the following: First, that the most appreciated course in this case study is Course 1 in two LE categories and four T&L categories. Course 1 students were the most satisfied with *vocabulary* and *listening* and with *unit organization*, *topic understanding*, *subject coherence* and *summarizing*. Second, at the lowest end, Course 2 was the least appreciated course in all five LE and in two out of five T&L categories. Students in Course 2 were the least satisfied with *vocabulary*, *listening*, *reading*, *interacting* and *presenting* and with *subject coherence* and *summarising*. Third, Course 4 obtained three out of four highest LE perceptions scores for *reading*, *interacting* and *presenting* on one hand, and three out of five lowest T&L perceptions scores for *unit organization*, *materials* and *topic understanding* on the other.

Course 3 obtained highest perceptions scores for *materials* along with perceptions scores above ($M=4.00$) in five LE and four T&L categories (Tables 5.1 and 5.2).

In Fig. 5.1 all LE categories were overall perceived positively with a preference for *presentations* and *reading*. The highest standard deviation scores were found in the *interacting* and *vocabulary* categories. In Fig. 5.2 all T&L categories were perceived positively overall, i.e., above the ($M=4.00$) mark, with the exception of *subject coherence* perceptions scores ($M=3.940/SD=0.789$). The data contribute a great deal more to the discussion, however, and to understanding the meaning of the quantitative data, when combined with the qualitative data. Hence, in the following sections, quantitative and qualitative data from both LE and T&L themes are discussed in each course separately in sections: §2.1 (Course 1), §2.2 (Course 2), §2.3 (Course 3) and §2.4 (Course 4). The comparisons discussed in §3 reveal important differences among courses that are useful for understanding the findings obtained from the SLR3 programme.

2.1. Course 1.

2.1.1. Perceptions of Legal English.

Table. 5.1 indicates *vocabulary* as the category with the highest comparative perception scores in Course 1 ($M=4.50/SD=0.79$). Fig. 5.1 shows this same category obtained the lowest overall perceptions scores (*means of means*) in four courses ($M=4.060/SD=1.063$) compared with the other four LE categories.

Observations show that the teaching of *vocabulary* in this course was approached differently in different courses: (a) by identifying and defining legal terms in a manner that students (and this observer) could “picture” the meaning of each term; (b) by providing definitions paralleled with examples, often in reference to a case; and, (c) by giving contextual cues to help students process and understand each term. Points (a) to (c) relate to Vygotsky’s (1978, 1987) claim that students tend to learn new concepts if these are taught at their present level of development (ZPD, Chapter 2, §4.2); with Richards & Renandya’s (2002: 255) claim that “vocabulary is a core component of language proficiency and provides much of the basis for how well learners speak, listen, read, and write”; with SCT theorists’

claim, that vocabulary learning is efficient if students are given time to process the new information; and, in relation to legal vocabulary, with Harris's (1997) claim that reading is difficult for law students because of the undue number and high level of technicality of legal terms contained in case law.

Another characteristic of Course 1 teaching was that students were asked to read cases in their original (non-abridged) versions. This was time consuming for students, particularly where the FL texts used in class were non-abridged. In common law, the meaning of "original version of a case" is a case published in an official law journal. This format is different from casebooks. Casebooks contain abridged, thematically organized materials from official case law journal publications. Casebooks are written in highly complex academic language, however, they are slightly more reader-friendly in that they contain plenty of footnotes and explanatory comments that facilitate the reading of legal text.

Because students had little time to read and process the materials from lesson to lesson, they did point out that translating the readings from English into their L1 was not an option because it took too much of their time. To complete the existing knowledge gaps, students quite often resorted to websites and dictionaries for help. The more hardworking students prepared glossaries or word lists and summaries for each document read.

A particular feature of the teaching approach in Course 1 was the use of narrative-type explanations of terms and concepts. Students were told about the "civil law" story versus the "common law" story; the "American" versus "European" corporation story; the "shareholder" versus "bondholder" story; the "poison pill" story; the "piercing the corporate veil" story and the "certificate of incorporation" story.

Listening and *interacting* presented no particular problems in this course. Interviewees stated they were able to understand most of what was said in class. They attributed this to the teacher's special language skills and knowledge of content. The five Course 1 international students (see Chapter 3, Table 3.3) had no complaints about English spoken by Italians and colleagues from other nationalities.

Interview excerpts in the next pages reflect students' level of confidence perceptions in the teacher's guidance:

Excerpt 5.1/Course 1/Italian student interview.

I don't have any problem to say something [...] that I know about because also if you say something wrong [the teacher] does not say "Oh, no that's wrong, that's terrible." He just says, "Well, yes, this could be an opportunity a possibility, but maybe it's more like this (..) but it could be an idea. You know, he never [...] puts you in a shame position that maybe makes the other people laugh about you. He's doing it in a quite nice way so that you can think about it by yourself. Yes. So I don't have any problems to say something in class.

This student expressed the trust he vested on the teacher. A shared problem among low proficiency students, however, in this and other courses, was interacting. Some students willingly took part in class while others could not help feeling inadequate as speakers, as if they were regressing to earlier language learning stages.

Here is one example:

Excerpt 5.2/Course 1/international student interview.

R *In English, how do you feel about speaking out and giving opinions when everybody is discussing, and*¹⁶

S)No, I like speaking, I like practicing, you know it's not that comfortable; again, as when I speaking in my own language. Sometimes I don't know how to say one thing that I am thinking or I speak like a little child. It's good, I like it.

The expression, "it is not that comfortable; again as when I speaking in my own language" and "I am thinking or I speak like a little child" indicates the frustration about not being able to perform in L2 as fluently and efficiently as in the L1 where command of grammar, vocabulary, communication skills come naturally.

Presenting was considered a particularly demanding activity in Course 1 (this is so also in another two, Course 2 and Course 3, with Course 4 being the only exception). The reason is that students are asked to prepare and give at least two presentations (landmark cases) in the course of the semester. This is an unusual course demand for law students in traditional law

¹⁶ This transcription convention "((" after "and" indicates that there has been a sudden interruption on behalf of the listener.

schools in Italy as well as in many other countries. For the student below, the Course 1 teacher's approach was viewed as cognitively stimulating:

Excerpt 5.3/Course 1/international student interview.

S [...] we never studied the American common law. So this is very interesting, and even sometimes [Course 1 teacher], he, I find it interesting when he poses these questions on law: *Why is there law in the first place?*

Because when we, that is in Malta, it was our first year in the philosophy of law and you don't even bother about the lectures, I mean you go to speak to people not really listen to the lecture. So, now, you know, you are more mature, you've learned more and it's interesting to ask these questions again which we haven't done.

R ((brief comment))

S I particularly like that about these lectures. Otherwise, obviously, you learn more about US company law but it's not only about learning academically, it's also about, it makes you think; the questions make you think. That is the point I like.

Interview data corroborate students' positive reactions to the teacher's approach as in the example:

Excerpt 5.4/Course 1/Italian student interview.

R *How do you feel about participating in the course? Is the course what you expected before you started?*

S It's getting better day by day because at first we were just frozen, and afraid to talk because we didn't know each other and the professor as well. Now he's very good to took us the information, to let us speak, to questionating us ((asking questions)),

R *I noticed that it is a very communicative class with him. There is not a sense of fear, of "if I speak, maybe people will laugh."*

S He has skill to understand the right moment to ask the question.

The teacher, according to the students, knows when and how to ask questions.

Observations revealed that even though language proficiency levels varied considerably in Course 1, enthusiasm for course and teacher were so high that it obscured any possible negative aspects of the course (e.g. readings based on unabridged legal texts). The next section looks into data from T&L categories in Course 1.

2.1.2. Perceptions of Teaching and Learning.

Table 5.2 indicates that Course 1 obtained the highest T&L perceptions values in *unit organization*, *topic understanding*, *subject coherence* and *summarising*. Several excerpts shed light into the reasons for this wide consensus.

Here are some comments made about the teacher's approach:

Excerpt 5.5/Course1/student interview.

S You're a little bit scared if he could make some bad question but he is not doing it. He is more helping you. If he sees your cheeks coming up a little bit red then [Course 1 teacher] says, "Yes for example..." and then he takes the point and he helps you. By listening to him, you realize when the others do it and by listening to him you realize, "Ah, yes this was the point," and then you can restart it and he's given you a little help.

The above excerpt illustrates an instance of empathy on behalf of the teacher towards students and the ways in which he helps them build their self-confidence (i.e., by not rejecting a student's output point blank but, instead, by qualifying it). What the student meant by "listening to him you realize" refers to the teacher's subtle way of making students' understand something without signaling out the student's output as an error. One comment about traditional learning strategies and their consequences are stated in these words:

Excerpt 5.6/Course 1/Italian student interview.

R How about Italian students' learning strategies. Do they memorize for the course?

S Yes, we all do. If I had to study 800 pages for Commercial Law the only way I could pass the exam was to memorize.

R How can you memorize 800 pages?

S Well, you simply repeat as best as you can. Later you forget everything, suppose. Now that I'm working, I find I need to re-read criminal procedure because I don't remember anything. I studied it with the memorization strategy and I don't remember what I studied. German students believe that Italian universities don't work at all. They consider them terrible and badly organized because of the way students study.

The teaching method in Course 1 was praised by all nine interviewees even though their English proficiency levels were quite different. Students compared approaches, the learner-centred, participatory approach with the traditional, scholar-academic, non-participatory approach (see Chapter 1, §8) and also the more challenging home as opposed to host case law method of teaching:

Excerpt 5.7/Course 1/international student interview.

I find again in these [...] courses, that I can interact. In Italy ((alludes to the Italian law courses taught at the school of law with the traditional approach)), you do lessons, that's it. Sometimes it's not useful because at the end, the item is to learn a book and after to quote a book, to memorize a book. Instead in France we have, not the material, but we have to remember the law. I felt like a challenge, to do this in English. [...]. It's true that my level of English is not very good.

By the word "item" the student meant "objective."

Below is a summary of innovations the Course 1 teacher planned to introduce in the course for the following academic year:

- Teaching students about very recent cases that have important legal implications worldwide (e.g., the economic crisis started by US financial institutions; executive corporate law compensation changes made by the Obama administration);
- Having students study from direct sources of law (statutory law);
- Having students read not merely legal documents but to use the hypertexts (codes, laws) interactively and teaching them to search for exactly what they are looking for.

The above represents the teacher's views about student's needs in legal education.

Excerpt 5.8 shows the teacher's views on how the method could impacts SLR3 students:

Excerpt 5.8/Course 1/teacher interview.

R What effects do you expect [the above changes] will have for teaching and learning?

T Eh, well, the main impact should be that of the reference to the contemporary crisis. So, things that they read on the papers every day or they should read. I will try to induce them to read ((laughs)), to read the papers more attentively.

R So connecting the...(

T)connecting what they read. Matching what they read in everyday life to the law and the course. To avoid, yes, the separation between the real life dimension and the course.

The excerpt above indicates the teacher's interest in linking the 'real life dimension' with curriculum content. Students responded positively to what they perceived was a "good" teaching approach. This motivated them to come to class prepared to participate (e.g., be ready to ask and/or answer questions) and to present well-prepared, well-thought out cases.

A summary of observations in Course 1, highlight three features of the teaching approach which in my view contributed to its success:

- *Instruction.* The teacher seems to have a well-defined programme in mind. While he teaches, he quite often refers back to past lessons (and past cases) or forward to future lessons (and future cases). The programme is perceived as well managed. The teacher appears to know exactly what to cover and how much to cover on each topic and when to do so (ZPD; Chapter 2, §4.2). If a different topic comes up during the lesson and it is premature, he says: “this topic will be covered in two more lessons.”
- *Feedback.* He responds to students’ questions with answers that go deeper into the topics. If something needs clarifying, it is done on the spot rather than later or in the next lesson. He has a good system for teaching the topics. It includes presenting for the first time, repeating, reformulating and summarizing. He also checks to see whether students understand what he is saying as the subject is being developed. His most frequent check-for-understanding expressions are: “okay?”, “all clear?,” “understood?” If a student’s answer is not exact, he replies: “hmm, well it’s not exactly so,” and gives the answer or opens the question to the whole class.
- *Socratic dialogue.* Students are expected to be active, engaged participants as colleagues present their cases and to take part in the Socratic dialogue after the presentation. Questions are made by the teacher to students and answers are expected from them in both the instruction and the presentation parts. This activity is always made in a nonthreatening way, giving students enough time to process and formulate their answers.

The point to make about this course is, based on quantitative data in Tables 5.1 and 5.2 and qualitative data, that students in this course appreciate the way they are being taught subject matter in English, the manner in which feedback and error correction is given (for both content and language) and the way they are being engaged in class discussions. Moreover, Course 1 qualitative data from interviews and observations indicate that the teacher had an effective approach to teaching the subject in English. But the course succeeded not only because of good teaching but also because student perceived the teacher understood the problems they were having with language. The sensitivity on behalf of teachers to the language problem relates to the way students engage with the subjects (see Chapter 4, Excerpt

4.33). Students respond positively if mutual trust between teacher and student is established. As a result, difficulties such as differences in English proficiency levels and listening (strong accents) were less accentuated in Course 1.

The next course examines LE and T&L in a very different context from Course 1.

2.2. Course 2.

2.2.1. Perceptions of Legal English.

The question to pose about the language part here is, *Why are all five LE categories in this course the lowest?* To answer the question requires focusing on those features that set this course apart from the others. First, observations and teacher interviews indicate that in this course, the curriculum is as well articulated as in Course 1. Yet, in this course interviewees perceived the tasks as particularly demanding. Comparing this course with Course 1 (Source: interviews) shows that in Course 2, students were given far too many readings and presentations. In addition, built into each lesson following student presentations, was a particularly challenging Socratic dialogue question-answer session (in this course, structured as a teacher-student dialogue based on issues presented by each student). Furthermore, the materials used were mainly from casebooks which consist in case law readings targeted for an academic native speaking readership. In this course, students commented that they came across numerous unknown, new general purpose and legal terms while reading the cases and materials assigned for each class. Compounded with the above was the language level problem: in Course 1, the language was targeted to an advanced rather than intermediate proficiency level student. Moreover, observations indicate that the nature of vocabulary used in this course was highly technical. Students commented they found reading challenging for this reason.

Here is a representative comment:

Excerpt 5.9/Course 2/Italian student interview.

R The lexicon. It is completely different. Even the syntax of the judgment we studied is more complex.

- S There are lots of judgments ((from)) the House of Lords and the Courts of Appeal, and sometimes I find it complicated the syntax. Then when we studied also French cases in English and translated into English it was more difficult because they use whereas, whereas, whereas, whereas...
- R *All these different adverbs: herein, heretofore...obscure language.*
- S Yes, obscure language. When I usually read newspapers in English they are more simpler.

Students also found it difficult to understand their peers:

Excerpt 5.10/Course 2/Italian student interview.

Some students, particularly Germans, complained about the fact that they can't understand when southern European students speak. This is particularly so in [Course 2]. [...] Italian students are very bad speakers, usually the worst. They have no language skills at all. I can understand why they're saying that.

Excerpt 5.11/Course 2/international student interview.

Sometimes the English is too bad to just even follow it. For me it's really just an exercise of concentration because every 20 seconds I notice that, oh, you are still, you're not listening anymore. And even if I try to listen it's really hard for me to figure out which work that was supposed to be.

The above student's comment, "Sometimes the English is too bad to just even follow it," is emblematic of a situation that emerged in Course 2 because of the marked differences in proficiency levels that existed.

The student in Excerpt 5.12 below mentions problems with accents (see Chapter 4, Excerpt 4.22 for a similar comment):

Excerpt 5.12/Course 2/international student interview.

I'm used to, okay, English and American English and German English because we all have the same accent in a way. And now I had to get used to Italian. It's quite a strong accent so that was difficult for me to concentrate all the time while, ehm, yeah, while listening to the sound.

This comment alludes to the fact that expecting everyone to make presentations, even those who can barely communicate in English, defeats the purpose of the task, i.e., learning from cases analysed by other colleagues. If students are prepared, presentations are what they are supposed to be, i.e., informative, academically interesting and cognitively challenging. For those with low proficiency (and strong accents), extra effort is needed to keep up with course demands and to stay tuned with what the presenter is saying. With good preparation, however, comes renewed motivation, as indicated in the excerpt below:

Excerpt 5.13/Course 2/Italian student interview.

I am very satisfied because I prepare with long anticipate (), and so I prepare myself very well, so I am not afraid. I know, I am sure what people say, because I really know the subject.

The phrase “I prepare with long anticipate” shows the new behavior adopted by this low proficiency student who compares the SLR3 teaching approach and use of language with the traditional R3 department of law courses, where last minute studying for an exam is the norm, rather than engagement and participation throughout the semester.

Students were also self-critical about their work:

Excerpt 5.14/Course 2/international student interview.

[...]. The first time, I have made the presentation in the course that time I have, I have prepared and not very well, I mean not very logical. I had written something not very logical even for me. If the, because when you prepare a presentation, it is not just to tell a story to everyone, you have to prepare to get to be questioned by everyone. So, in, in this way, I have to prepare all these things, maybe these parts, they were question me, so I have also to prepare for the answers of this parts, of the possible questions they may ask.

For this student the purpose of attending was not only to learn the law in SLR3 courses but to practice English by communicating in L2 in an academic environment.

Differences in proficiency level divided students. Proficient students had no expectations about learning anything (English or new content) from low proficiency students. The marked differences in English levels caused differences in behavioural patterns. Some were silent during the lessons and did not contribute to class debates or interactions. Others instead, took frequent turns (source: observations). The “climate” among participants in Course 2 was, however, tense, critical, negative:

Excerpt 5.15/Course 2/international student interview.

[...] it is difficult to get an opinion out of someone. And I think that’s what they should learn: to get their own opinion. Actually that’s my expectation, that I have an own opinion on the different mechanisms in Europe or in the civil law part of Europe.

Course 2 senior teacher articulated the importance of language in SLR3 thus:

Excerpt 5.16/Course 2/senior teacher interview.

((in the context of international courses another)) aspect of this class is [...] empowering students in English language skills [...]. [It is] one of the difficult points in an Italian university education in the sense that Italian university works pretty well according to European standards at least for the higher level, but the problem is Italian students come out without any language skills and therefore, the purpose was getting them to learn English language skills.

And this is what will happen, [...] when they are at university and they go in a working environment where English will be inevitably the language of the community. So I think this is the second positive aspect, using English from this point of view, not only to learn law in English but to use English to communicate where it can be obviously law, but it can be anything else.

The junior Course 2 teacher was well aware of the problems involved in culturally mixed classes:

Excerpt 5.17/Course 2/junior teacher interview.

R What are the perceived bottlenecks for students in [...] your course?

T They do have an impact with the different kind of methodology we use here. They are used to a frontal lecture. Here they have lessons in which they are given assignments and they have to prepare for class.

R Which are the solutions and strategies that you think could help students participate better, considering the language factor?

T When a class discussion opens up, some of them fail for words and they tend to say much about, “Oh, what is the right expression?” and so we allow them [...] to use the very technical expressions for which they don’t know the translation in their own languages: they will give us the word in French or other languages. Sometimes, even the problem of false friends in the language ((emerges)) when we talk about these terms.

2.2.2. Perceptions of Teaching and Learning.

This course has comparatively the highest percentage of international students. Table 3.3, Chapter 3 indicates that of a total of 14 students in Course 2, six are Italians and eight are from foreign universities. One reason for the higher enrolment of international students in this course, as opposed to other courses, is the subject matter, i.e., comparative legal systems, which tends to attract a higher number of international students than the other three courses.

Even though the data indicate that the LE part in Course 2 is valued the lowest in comparison with other courses, it is important to highlight the fact that Course 2 is the only course where Italians were outnumbered by international students. The data are important because criticism came mostly from the international students. International students noticed and raised issues about differences in teaching approaches between Course 2 and their home institutions. The data show there is a greater tendency for international students' to compare T&L methods in their home universities with R3 than Italian students. In doing so, they provide invaluable insights on what they perceive as faults in SLR3 courses. This does not imply that Italian students lacked criticality, i.e., that they just accepted or did not appear to question teaching approaches, opting for leaving things the way they were. Rather, the issue is that international students, as opposed to Italians, when abroad tend to notice and stress the differences between home and host teaching-learning experiences and norms more readily. Being in another country, studying law in a foreign law school gives them a greater and richer cultural and experiential basis from which to draw comparisons between two well-known methods of teaching and learning, which they did not have prior to enrolling in SLR3.

The excerpt below exemplifies the situation more clearly:

Excerpt 5.18/Course 2/international student interview.

I think it's just *a whole different approach*. In Germany, yeah, you always have to... you learn the structure of the statutes and the laws. You always have to apply this to cases. So you always learn this on this basis. And I believe here ((Italy)), it's more like in school where the professor tells you something and you write it down and you try to put it into your mind. So you may learn like theoretical background but you don't really get to use it.

This excerpt is illustrative of the fact that in international courses students' language and legal backgrounds are at times very different. Underlying the criticism above is the deep-rooted belief that Italian students' behavior as learners, compared to that of German students, lacks critical stance because Italian students' experiences, traditional, scholar-academic in nature, tend to cause learning and critical thinking paralysis. The paralysis extends to communication.

Another issue, raised in Excerpt 5.19 below, relates to R3 resources and library services which were considered rather poor, making it difficult for international students to carry out research. Biggs (2003) and Biggs & Tang (1999) argue that quality learning requires of institutions that they provide materials and resources to facilitate research. This may appear obvious but it is far from pointless. Lack of updated resources and library services undermines R3 objectives which are to educate students for quality learning and research. Here is the student's comment:

Excerpt 5.19/Course 2/international student interview.

What I think is really strange here is that the library at R3, for example, it's just very small. I can't understand. [...] In Germany, I think they try to have a more scientific approach as well. You have to do like writing assignments where you have to research on all the actual literature on that certain actual topic. And just whatever you do, you just have to look it up in many books and try to compare everything and not just listen to what the professor says or read the professor's book and try to repeat what the professor's books said at the exams.

Excerpt 5.20 addresses an issue was the fact of not coming to class prepared to take part in plenary debates or related activities. It is an important comment that reflects what the student saw as "lack of commitment to academic work" (Biggs & Tang 1999; Biggs 2003; Chapter 2, §4.4):

Excerpt 5.20/Course 2/international student interview.

Well, the problem is that only about two people are really preparing. I mean, really writing down points and everything. I have to be honest, I am not preparing [...]. Sometimes I have time. When I find time, I'm preparing. If I don't find time I do not. So when I don't understand this case because, I don't know, strong accent, or I'm too tired I can't really participate. I think maybe it could be better if, [...] sometimes we could do part: one part of the lesson like just [senior Course 2 teacher] is talking and explaining some stuff and later on, on the cases.

The fact that even hard working students started to not prepare for class is indicative of an even greater problem:

Excerpt 5.21/Course 2/international student interview.

But it is not that I am the only one. I can see that the others are unprepared as well, so I don't feel that bad. And the problem is that maybe it would be better if we could work in groups so that everybody could talk and everybody could participate.

The student's response in Extract 5.21 is interpreted thus: If I'm going to have to sit her and listen to endless badly delivered presentations because the language is incomprehensible, then it is better to have the teacher teach in the traditional way or work in teams and eliminate presentations and debates altogether. The student in Excerpt 5.22 also highlights what she views as major differences between her law school and R3 in terms of cognitive approaches to studying law:

Excerpt 5.22/Course 2/international student interview.

The system here is very different from the system in Germany because in Germany we are working only with the law. We have our text, our law text and we have our books, so we have to learn the books as well as here in Italy. But then we only have written tests and then we get a case and we only have our law and we have to solve the case just with the law, with the things we've learned from the books. But here they only have oral examinations and they just know from mind ((memory)) what was written in the books. [...] They memorize the laws. [Y]ou don't really have to understand. [A]nother strange thing is they don't write any thesis in the other courses. It's all oral!

The student here identifies another weakness of mass university education in some European countries which also SLR3 needs to resolve, i.e., that the teaching method (e.g. in Italian universities) is carried out through lectures and readings, the two principal components of T&L; it excludes any form of student participation.

Some international students, as the excerpts below indicate, seem unwilling to adapt to the local norms, i.e., they seem unwilling to learn the way Romans learn:

Excerpt 5.23/Course 2/international student interview.

[Y]ou know what you're gonna do and what you have to read for it and it's so much more (..) ¹⁷ you learn so much more in Germany. I have that impression. I know that it sounds arrogant and something like that. I always thought that Germany had such a bad reputation up to now [...] but I don't think that that is representative after the experience that I've made here. And I think that ((with my training)), I can just talk about law really, about that structure I have the impression that they don't have any plan. And you don't learn that much therefore. It's seems that here they don't learn how to research; how to write in a scientific way because they never have to do that.

Another issue is *materials*. For less proficient students, LE materials constitute a problem because they contain complex academic language not only for them but also for a lay English native speaker:

¹⁷ See Supplementary Documents, #3 - Transcription Conventions.

Excerpt 5.24/Course 2/Italian student interview.

- S The difficult is that I don't understand everything, so I am afraid to wrong. But when I am sure what the (..)
- R *So you [...] wouldn't be so willing to contribute because you are not so sure if you've understood everything?*
- S I generally, I read the materials ... instead I don't finish ((laughs)).

Other students are enthusiastic about the course for the way the junior teacher conducts the Socratic dialogue questioning:

Excerpt 5./25/Course 2/international student interview.

The [junior teacher], she's very nice. She's like [...] asking the questions to get to the point. But you find that you reflect, if you didn't before, but you get them. She also takes you on the way to finding the points and do the class together, so if you are like there and you think, and then she asks the questions, and I really like the way she asks the questions. It's not randomly, it's always like step-by-step ((it is systematic)).

Socratic dialogue, conducted by the junior teacher, gives students the opportunity to experiment with higher order cognitive processing in English which the student above praised. The Course 2 junior teacher made the following claim about her approach:

Excerpt 5.26/Course 2/junior teacher interview.

- R *What solutions/strategies do you think would help students learn better from you as expert?*
- T Well, the whole idea is trying to get them to think. [...] I always try and get them to think of things they didn't take into consideration, as a technique, ((looking)) beyond what are the facts of the single case which can be solved in one way or another. What we try and give them with these courses is the methodology: how to approach a problem and find the issues.

This is the approach to Course 2 teaching:

Excerpt 5.27/Course 2/junior teacher interview.

So what we do during the semester is exactly we give them the case, they study it, and then I try and make their certainties shake [...] so that they see that anything can be analysed, under different points of view. There is no right or wrong answer. It's just trying to understand what is at issue and that is the same thing we try to do with the final exam.

The junior teacher's objective is to guide students into "thinking like a lawyer", by socializing them with the cultural traditions of law schools (Chapter 2, §2.2), which includes becoming used to looking beyond the surface (facts) of a case and developing the capacity to face problems with "a legal mind" which means being trained to observe and examine the underlying reasoning of a case which is one of the characteristics of the case law method.

The junior teacher also addressed issues related to the learning steps the student needs to take:

[It has] two parts. First the law in action. Second, the issues in which similarities and differences are highlighted, also the reasoning from the courts, the trends in jurisprudence. The second phase has to follow the analysis of case law.

The next section looks into LE and T&L in Course 3.

2.3. Course 3.

2.3.1. Perceptions of Legal English.

One issue interviewees pointed out about this course was the high level of engagement generated by the Course 3 teacher. English proficiency differences existed, but this teacher was able to efficiently manage them. The teacher's objective was to leave no students behind whatever their level.

Interactions in Course 3 were highly engaging: students realized after the first lessons that it was impossible to come to class unprepared or to simply sit and remain silent. To encourage students to participate actively and to motivate them to prepare well in advance for each lesson, the teacher introduced ‘cold calling,’ a technique used in English-speaking law schools, which consists in asking questions about cases (facts, legal history, reasoning, conclusions) without prior notice of question content. Questions were addressed at random to any student present. This induced the class to read and prepare summaries for each case/reading assignment prior to each lesson. Cold-calling was used selectively by the teacher, according to level of proficiency: low proficiency students were allowed to prepare responses to specific questions in advance, called ‘anticipated calling;’ high proficiency level students were, instead, expected to be ready to answer any question asked from all the readings assigned (source: informal conversation with Course 3 teacher).

The excerpt below addresses the issue of proficiency levels differences:

Excerpt 5.28/Course 3/teacher interview.

In the current situation it is not possible to have many homogeneous classes. For this reason there will be level of English disparity in each class. More advanced students need to learn to be more flexible (tolerant). Disparity will be the norm for quite a while until the programme grows.

The Course 3 teacher’s approach to student engagement was articulated as follows:

Excerpt 5.29/Course 3/teacher interview.

Preparing in advance is useful for students because they get the feeling of being in the driver’s seat. Presenting in front of the class is also useful but it could at times be painful. The reason is either that the student is not prepared for the challenge, is inexperienced, or the person’s level of English is not up to par. Cold-calling encourages more proficient students to prepare. Anticipated-calling is a good way for less English proficient students to be on the driver’s seat.

In Course 3, most interviewees mentioned they were not familiar with the subject matter (contract law and international business transactions); consequently, the vocabulary was new for them. On this topic, one student stated:

Excerpt 5.30/Course 3/Italian student interview.

R Could you point out any linguistic problems that you've had [with the course]?

S Yeah, apart from some very technical vocabulary?

R What kind of words for instance?

S For example. The contract terminology in the cases.

International students also compared host and home ways of approaching reading and vocabulary. One student made the following comment about practices that involve the use of language:

Excerpt 5.31/Course 3/international student interview.

R Tell me how you feel about participating in the course. Your language proficiency, skills?

S The problem is always the same. The question what is discussed in class but it is difficult to me trying the phrases and finding the words to express myself in English. There are students that give better answers before me... ehm. [...] When I have time to prepare, when I do written the exercises, but at the same time I can express myself with this prepared work, yes, it is too much time for thinking...((improvising is impossible)).

The expression “trying the phrases and finding the words” alludes to not being able to say what in her MT comes naturally. This is linked with “there are students that give better answers” which alludes to being able to express thoughts on topics naturally when taking a turn. This problem was strongly felt by less proficiency students.

Course 3 was the course which most focused on practicing advocacy skills (e.g., mock trial) and similar activities such as enacting three-party debates where students take one of three roles: *claimant*, *defendant*, *judge* and argue a case taking contrasting positions. This is a simplified version of the moot trial described by Williams (2010: 194) as

legal problems in the form of imaginary cases, which are argued by two student “counsel” (a leader and a junior) on each side, with a “bench” of “judges” (more usually, perhaps, only one judge) representing the Court of Appeal or sometimes the Supreme Court (or another tribunal which is the product of the organiser’s imagination).

Compared to other course activities, observations confirm that the mock trial was the most complex and challenging activity involving legal language practice in the programme. A mock trial involves focusing on script-based, rehearsed language. It requires both individual and group work. Rehearsing is important because in a mock trial each intervention counts in the eyes of the judge (and likewise in the eyes of the team, the class and the teacher). A distraction may cause one party to lose the virtual trial/suit. Most students in this class enjoyed participating in the event:

Excerpt 5.32/Course 3/Italian student interview.

I really enjoyed it. I usually never participate in discussions. In this course I always participated. I always do my homework. I enjoyed the fact of staying with other students. [...] It gives me the chance to understand things right away by participating.

Students noticed strong methodological differences between Course 3 teaching and more traditional R3 teaching:

Excerpt 5.33/Course 3/Italian student interview.

R What about the mock trial?

S It was really great. I was [Mario Rossi], the plaintiff, ((in the trial)) and that was totally different from the regular ((courses)). In the traditional courses, you study for five years - and we read lots of books - and we get out of here and don’t know even how to do a notification.

The mock trial can be communicatively challenging because students never speak or ask questions in traditional courses in L1. Expressing themselves in English is much more taxing:

Excerpt 5.34/Course 3/Italian student interview.

[...] during this course I felt at the beginning I have some problem, particularly in speaking. But then, well yes, English law is as Italian, nothing new. English vocabulary, if you use law areas are as the Italian one ((the legal systems are easy for me, the language less, but I can manage)). I had to learn some specific words. English vocabulary. Maybe just speaking is quite difficult but not reading and writing.

Because Italian (and other Romance language students) learn Latin in high school and at university in law schools, they know the meaning of many Latin origin legal terms in their own languages. Studying law in English simplifies understanding of LE Latin origin words through word recognition. This is an invaluable transferable skill which helps explain the meaning of the above interviewee's words, "English law is as Italian law", made by the student in Excerpt 5.34.

Mock trials are appreciated because it compels students to use the language with much greater precision and mindfulness:

Excerpt 5.35/Course 3/Italian student interview.

R And what happened... . When you were preparing the mock trial [...]?

S In that occasion I worked with the lawyers that was supposed to come in my team. We prepared a sort of game, scheme. Developing the scheme ((strategy)) was engaging. It included possible questions and answers from the counterpart and my answers to the cross examination. [...] We had a strategy and...[...] we tried to cover each point of the question and give some useful information to our lawyers to (..) then we tried to review.

R Has this experience in this course helped you in your personal growth, personal development?

S Yes, sure. First of all because I practice a lot of English. I learned some technical words about legal English.

Section 2.3.2 addresses T&L issues in Course 3.

2.3.2. Perceptions of Teaching and Learning.

Students mentioned being satisfied with Course 3, especially with the mock trial and the materials. The instruction material for working with the mock trial was entirely written by the teacher. Only one student (lower intermediate) whose English was below the class proficiency mid-point stated she preferred lectures to mock trials because her knowledge of English was too low compared to the others students' to feel comfortable enough with the activity. It caused her frustration specially when she realized that colleagues were not taking the activity as a "game" but rather that they were taking the task very seriously. This is one example of what interviewees thought about the course:

Excerpt 5.36/Course 3/Italian student interview.

R So how do you feel about being in the role of plaintiff?

S I prepared, of course. I read everything at home. [...] I read it through. And then I read it [again] very carefully. Then I read the defendant's part (Mr. Schumacher). Then I thought about the possible questions that they could have asked.

For this student, the statement "I prepared, of course" is interesting. It reflects her enthusiasm about taking part in an activity in which hers was one of the leading roles. Preparation was a critical and crucial requirement which she had no intention of avoiding.

Course 3 teacher said the following in reference to her approach to teaching:

Excerpt 5.37/Course 3/teacher interview.

R What is the difference between your method [and] the traditional method?

T [One of my students], like many others, told me that this method of actively participating in discussions, preparing mock trials and other kinds of work in groups in small classes is very important. Learning this way gives students the feeling that guidance will be given when needed. He told me he trusts my ability to spot errors when speaking or when applying the law in case analysis. He also finds the course very motivating because you apply what you are studying immediately, not in 10 years. In his words, "It's the lawyer job. I'm here. I'm studying here to become a lawyer not to study all the life."

The great advantage of a mock trial is that most of the parts students role-play require learning new vocabulary and practicing LE skills such as reading, writing, speaking and in law schools, developing advocacy. It is certainly not all there is to learn from the mock trial, however. Teachers can also incorporate the teaching of ‘turn-taking’ which involves giving students the necessary tools to linguistically manage group interaction.

The mock trial constituted a new experience for the majority of students. Students mentioned they seldom got to speak or to write in law school except during exam sessions. Because there are no legal writing courses offered, many said they foresaw graduating without knowing how to write. In response to a question I posed to the Course 3 teacher on the advantages of teaching-learning case law, here is the way she articulated her answer: a) case law trains students to identify and figure out the rules from facts that emerge in a case; b) students are trained to find the solution to the legal question: [...] by learning how to apply the rule. Once the formula is found, they compare their solution with the solution found by the judge(s) and the reasoning process leading up to the decision; c) an advantage of case law is that analysis examines a complex set of solutions and reasoning processes underpinning the court decision; which sharpens students’ legal reasoning skills.

The next section examines LE and T&L in Course 4.

2.4. Course 4.

2.4.1. Perceptions of Legal English.

The quantitative data obtained in Course 4 indicates that students’ perceptions about this course were comparatively the highest in three LE categories: *reading, interacting, presenting*. In parallel, Course 4 obtained the lowest scores in three T&L categories: *unit organization, materials, topic understanding*. To better understand this paradox, a qualitative interpretation of students’ and teacher’s perceptions in reference to language is provided.

One feature brought to the fore by Course 4 interviewees was the complete autonomy granted to students to organize their cases and presentation work as they saw fit. They did so

by dividing the class into two groups. The initial idea, of organizing presentation work in two groups, came not from the teacher but from a Course 4 student. In his words,

Excerpt 5.38/Course 4/Italian student interview.

R *Were you one of the organizers of the groups?*

S They called me the coach but yes and no, in the sense, only to organize to divide the points, to just organize a plan, so okay, you do this, we do this, you speak after me, I speak after you, these are the points we have to stress out. It was just the beginning, just to give certainty to what we are going to say.

The first feature I noticed about Course 4 during observations was the different approach to presenting cases implemented compared to the approaches in the other three. In this course, participants in each group were responsible for presenting and discussing one case to the whole class. The Course 4 teacher's role was to introduce the presentation sessions and at times give feedback on conceptual issues and language (e.g. vocabulary misuses, pronunciation). The teacher was present but seldom intervened during the activity. Instruction in this course was reduced to explanations on the rationale (principles, precedent, doctrine) that guided judges to their decisions and case history.

One student highlighted that the Course 4 teacher was "clear from the start" about objectives. He wanted students to participate actively. He warned against seeing Course 4 as a normal, i.e., traditional lecture-style course. He also told them to expect to do the work on their own. For the Course 4 teacher, the difference between traditional and SLR3 teaching consists in:

Excerpt 5.39/Course 4/teacher interview:

In my opinion as I understood SLR3, is that we need give more international approach in common law approach, you know, not just the Roman law approach. The approach were you study theory and you study sentences of legal opinions. Now, I wanted to introduce cases so this is not (.) this is a bottleneck for them.

The teacher compares two views on legal education that resonate with two distinct world legal traditions, the common law and Roman law traditions. He refers to his method at SLR3 as the

‘international approach,’ defined as an approach in which case law is used to teach and learn subject matter interactively.

To fulfill course requirements, a substantial amount of reading was involved. Students were forewarned that the course required solid comprehension skills to work with EU judgments; for this, they had to re-invent the approach in order to work with law cases and judgments. Informal conversations and interviews with Course 4 students, however, allowed me to detect strategies that were less conducive to deep learning (Biggs 2003). Course 4 is the only course in which the *materials* were available in 23 languages at the time of data gathering (i.e., equivalent translations of EU law and other documents in 23 official languages). All students needed to do was to download the respective L1 and the English versions, making reading much simpler than in other courses. The English version became, students claimed, much more understandable after having read the same document in their own language (unlike in other courses, where students read directly in English). Certainly this shortcut greatly reduced time spent on readings.

Course 4 students prepared presentations collectively (rather than individually). In lessons observed, the organization was such that there were two groups presenting separate cases. For each, students recreated a virtual scenario of the European Court of Justice (ECJ) in which Groups A and B took opposite positions, presenting arguments and counterarguments on the merits of ECJ decision-making in light of members' state national laws.

The section below addresses Course 4 T&L issues:

2.4.2. Perceptions of Teaching and Learning.

Table 5.2 shows *materials* obtained the highest perceptions scores in Course 3 but the lowest in Course 4. The data are contrary to initial assumptions, that reading in the FL is facilitated in cases where there is an official L1 version available for students. Table 5.2 also shows that in this course students' perceptions scores were the lowest in *unit organization* and *topic understanding*. The data indicates that for these students working in groups to present cases did not facilitate understanding and did not make the organization of the work easier. Comparing group presentation work done in Course 4 with work done in Courses 1 and 2 (source: observations and interviews) shows there exists an important difference between

taking complete, individual responsibility to present a case compared to the distribution of responsibility that derives from working with the group-presentation format. In the case of group presentations, the responsibility of each member is diminished, making it difficult to assess students' for their work individually.

The excerpts below show students' perceptions about several issues raised by them regarding Course 4:

Excerpt 5.40/Course 4/Italian student interview.

S This course is real interesting because it is structured in a strange way.

R *Yes, it's different from other methodologies.*

S I would like to improve a lot of the method, but I would a little be contacted ((approached)) by my colleagues because it would be more work ((to made changes)) and it would create more problems for people because they are studying for their exams. They are near the degree ((graduation)) and so there are too many problems. I would like he built, the process, the judgment by a little topic. The teacher would help us, so building the case.

In this excerpt, it was “diplomatically” pointed out to this student by colleagues that working individually was labour intensive. I consider this result one of the weaknesses of Course 4 in terms of the teaching-learning approach. In this course, the organization led students to strategic thinking. Less proficient students let others (usually more proficient students) do most of the work (e.g., planning, presenting). This was made evident by the reaction to the student's proposal in Excerpt 5.40. She was told that working individually on presentations involved more work for those who were about to graduate. In other words, some students argued that individual presentations were time-consuming and for this they preferred things to remain the way they were. In practical terms, the change proposed - more time spent on Course 4 case preparation - meant less time left for final exam and graduation preparation.

The drawbacks of group work (source: observations) in Course 4 were two: lack of accountability of each student's 'real' work. It is much more difficult to assess the amount of work each member of a group really contributes especially if the work consists in dividing a single judgment into 8-11 parts. It may be “strategically” convenient, to save time and lessen the burden of preparation time (i.e., working on smaller sections of a text). The drawback is

that it does not afford the student the opportunity to learn to put all the pieces of the complete case together and hence to build on the experience. In addition, neither does it afford the student the experience that comes from hard thinking on subject matter and language using (Biggs & Tang 1999; Biggs 2003).

As one Erasmus student commented:

Excerpt 5.41/Course 4/international student interview.

Here sometimes I thought that we are speaking too much about the facts that are important to understand the case and to understand the law but it is not important to know that maybe that European Commission will come this day or that day. It is not important and for one lesson we spoke about this for one hour or more and this was not the important part of the case. For me sometimes they speak too much about the fact and not on the juridical points.

The comment mirrors the differences in the way home and host institution teachers approach the case law method. Another student viewed the method as follows:

Excerpt 5.42/Course 4/Italian student interview.

One of the characteristics of this course is that we have been mostly left by ourselves like dealing with organization and like splitting in different groups, organizing our work, and so I couldn't imagine that it could have been like in this way.

Indeed, the student's explanation of group work below corroborates the importance of guidance in EMI courses, when working on group projects such as law cases:

Excerpt 5.43/Course 4/international student interview.

R And do you have any anecdotes or things that you remember that were negative?

S Eh, one thing that you notice is that people have different levels of involvement in the discussion. There are, ah, most people don't take it too seriously. You know, discussing, preparing the different parts, the new points of the case. But some people really put themselves into it quite emotionally almost, and they seem to get quite the discussion. They take it, in my opinion they take it too seriously in that sense. It seems really only they're caught in the parts, you know, the work is not the actual presenting of the case; it's the preparation of the case.

Particularly relevant, as mentioned above, in this description of group work is the fact that not all students were equally engaged. This same student explains that the type of work done in Course 4 focuses mainly on practicing law and language to the detriment of subject matter, did not meet this student's expectations:

I took the course not because it was in English but because of the content. Because what I'm studying is European law. So it was important that I choose courses relevant for that. The course was (..) quite different to what I expected because obviously I did not know beforehand that the course would be (.) that there wouldn't be lectures. Cause in this course they haven't, mostly there haven't been lectures; there's just been discussions organized between two groups representing the two sides in different legal cases before the European Court of Justice.

The nature of the teacher's non-interventionist approach is articulated as follows:

Excerpt 5.44/Course 4/teacher interview.

Where there are legal terms involved, yes, false friends. I try to draw their attention to important legal terms that would be useful for them. When there are issues of grammar and there is a discussion which takes place I might not always interrupt them. I might highlight that at the end of the discussion. I would tend not to interrupt the students in the middle of it.

During observations, I did not witness language error corrections made by the teacher. An important point to make from data (quantitative and qualitative) obtained for this course is the importance of unit organization, guided discussions, language and content instruction and feedback and materials made *ad hoc* for the course, all of which the course lacked.

Section 3 discusses findings and patterns from the data collected.

3. DISCUSSION.

The focus of the discussion is on language and T&L based on quantitative and qualitative data. The purpose of this section is to present findings from LE and T&L perceptions in individual courses from which to make generalizations to other courses and programmes which employ similar methodologies for the teaching of content in a foreign or AL at university. Conclusions to be made about the courses, based on quantitative-qualitative data comparisons, obtained with the three research tools, are discussed in §3.1 and §3.2 below.

In §3.1, the comparison focuses on Language in SLR3.

3.1. Language (LE) in SLR3 courses.

Comparisons among courses show interesting differences exist in regards to Language. A re-examination of the quantitative data indicates that the maximum perception scores for LE categories were split between Course 1 and Course 4; that Course 3 obtained high perception scores for language in all categories; and, that Course 2 obtained the lowest perceptions scores for LE in all five categories.

To begin, approaches to teaching vocabulary revealed differences of consequence in teaching ranging from systematically identifying, defining, giving examples or correcting misuses of the legal vocabulary to sporadic interventions such as error correction during presentations and plenary session debates, as required.

Management of language proficiency problems were also dealt with very differently. Observations revealed sharp differences ranging from lecturing in English to a mixed proficiency class by targeting the language to the level of the class as closely as possible

(Courses 1 and 3), encouraging students to engage and trust their ability to communicate in L2, being careful not to embarrass students (language misuse, misunderstanding), to targeting the language of instruction to the highest proficiency level, which made low proficiency students feel disoriented and excessively challenged by the difficulty of the tasks and course work involved.

The existence of level differences among students made plenary debates and related activities problematic for both proficient and less proficient students. From the proficient student's end, the expected level of self and others was academic (CALP, Chapter 2, §4.4) for interaction to be meaningful (see Chapter 2, §4.4). Representative examples are the remarks made by two low proficient students. One wished to avoid losing face: "I'm really embarrassed because other people speak English better than me. And so I often stay quiet" (Excerpt 4. 41). The other wished for comprehensible input: "So when I don't understand this case because, I don't know, strong accent or I'm too tired I can't really participate" (Excerpt 4. 36).

The proficiency level required to communicate in a foreign language in any law school cannot be such that, as one student commented, "It is difficult to get an opinion out of someone. And I think that's what they should learn: to get their opinion" (*cf.* Excerpt 5.15).

Teachers' training backgrounds also differed regarding whether or not they had prior experience teaching law in English. In Course 3, as in Course 2, language was targeted to advanced and advanced plus students. The teachers' approaches to language instruction in each course, however, were very different and so were the results. The Course 3 teacher counted on her vast experience teaching LE to Italian students whereas both Course 2 senior and junior teachers had experience teaching comparative legal systems but no experience teaching LE. It did not come as a surprise to find remarks (source: interview, Course 2) of the kind: "Sometimes he [senior teacher] speaks too fast and I find difficult to follow him, to listen."

Even the depth at which the language problem was addressed was approached differently. It ranged from teaching both LE vocabulary and language use (targeted to the legal profession) such as uses of proper court language including forms of address, expressions to mark moments of entry and exit into and out of the flow of speech for the purposes of turn-taking (Course 3) to addressing vocabulary yet ignoring the functional aspects of language of key import for the teaching of advocacy (Course 2).

Findings from quantitative and qualitative comparisons of LE data among courses are:

- The learner perceives international EMI courses positively if his/her proficiency level is similar to other participants' proficiency levels, i.e., when his/her proficiency is neither too high nor too low with respect to other class/group members.
- The learner perceives international EMI courses negatively if his/her proficiency level is too low or too high in relation to other class/group members.
- The learner whose proficiency level is too low in respect to the class, perceives his/her needs are unfulfilled because of the inability to fully engage with the learning environment. This leads the learner to feelings of demotivation, frustration or anxiety in regards to taking full advantage of the particular programme and what it has to offer.
- The learner whose proficiency level is too high in respect to the class, perceives unfulfilled needs in regards to fully engaging in a dynamic, content and language learning-intensive environment. This leads the learner to feelings of frustration or anxiety in regards to taking full advantage of what the programme has or purports to offer.

In §3.2, the comparison focuses on T&L subjects and skills in SLR3 courses.

3.2. Teaching and Learning in SLR3 courses.

A summary of T&L findings, based on quantitative-qualitative data comparisons among courses, are discussed in Sections 3.2.1 and 3.2.2 below.

3.2.1. Subject matter.

Observations showed that to reach SLR3 objectives, experienced teachers adapt their teaching approaches in order to deal with language and content teaching and in parallel to manage

proficiency level diversity through participation in cognitive and culturally stimulating discussions. Teachers' approach to the "international method" (*cf.* Excerpt 5.39), also referred to as the "learning-by-doing" method, was different in each course. These differences ranged from almost full autonomy given to the learner, a form of learner-centred approach that reduced teacher instruction with the aim of empowering students to work on the case law method on their own, independently or in groups (*cf.* Excerpts 5.39 and 5.42) to the more traditional, instruction-based teaching, that integrated scholar-academic (a teaching approach with which most students are familiar), and hands-on, learner-centred teaching, an approach with which Italian students and many international students were not yet familiar or fully familiar with.

At the learner-centred end (Course 4), the teacher selected the cases for class discussion but from there on it was entirely up to the students to decide how to elaborate and present case work in class (Excerpt 5.42). As one student pointed out, "I have to admit that ah in a way ((without lectures)) you do get a lot less material in that way. If the professor had done lectures on European Union Law we would have got through a lot more cases I think." The teacher's design for the course, unlike the other three, did not include teaching subject matter by means of lecturing - the means through which most instruction is provided at the R3 Department of Law and in other law schools. As one of the students interviewed commented, "I can understand the course is not designed to do that ((lecturing)). It's designed more to get the students used to presenting cases, to participate orally in English."

At the 'soft' scholar-academic end (Course 1), the teacher planned a well-structured, well-organized and well-balanced course that included instruction, feedback, asking questions, modelling oral practice and monitoring students understanding. In the classroom (source: interviews and observations), the learning environment was one of mutual trust between teacher and students, established and maintained throughout the course, which facilitated participation even at different proficiency levels.

The following section approaches skills.

3.2.2. Skills.

With the aid of artefacts such as the Socratic dialogue (Excerpts 5.25, 5.27) and mock trials (Excerpt 5.35), proficient and non-proficient students are able to successfully engage (at different levels of complexity) by taking simpler or more challenging roles (Excerpt 5.29). A skills-based curriculum, according to Mackie (1989: 15), is beneficial in that “the interrelatedness of performance, knowledge, cognitive skills and values becomes more apparent where students engage in negotiating a case for a client than when they same legal area is the subject of merely ‘intellectual’ lectures/tutorials.” Building advocacy has to do with learning by practicing the “procedures instantiated in a particular legal system” and adapting them to a particular case by converting “this knowledge into language practices such as focused objective-driven, synchronized interaction” (ibid: 15).

This section submits finding on what makes teaching and learning more engaging in some courses as opposed to others and the reasons for this. The discussion in this section is informed by comparisons of T&L skills which consist in identifying the two ends of the continuum as examples of distinctively opposite approaches (Course 3 and Course 4). The characterization of approaches to teaching advocacy skills, informed by observations and interviews, is illustrated with two different types of group work in two different courses.

In one course (Course 3), the key features of the method used to teach advocacy in mock trial (Excerpts 5.32, 5.33, 5.35) simulations were: to model the activity (Excerpt 5.35); to induce students to think and act as lawyers; to give feedback on improper uses of LE terminology; to induce students to think critically by teaching them to find flaws in the opponent’s argument; to strategize the ‘moves,’ reminding students to ‘place themselves in the opponent’s shoes’ and anticipate them;’ to pay attention to detail; and to summarize (i.e., ‘brief’) the cases by identifying legal issue, applicable law, principles, reasoning and conclusions.

By contrast, in Course 4, the teacher introduced a new way to present cases where students were initially given general indications on how to prepare presentations and subsequently were granted full autonomy to decide both organization and delivery of their work. While students appreciated the autonomy granted because it induced them to find their own ways to manage course tasks, the data indicate that not all students perceived this approach positively (Excerpt 5.40). The decision made by students, to present cases in two

groups, as opposed to presenting individually, made the task much less challenging in terms of content and cognitive processing. Moreover, accountability was compromised by a lack of traceability of individual work (Excerpt 5.41). In sum, the positive side of group presentations was that the activity induced students to work out all the aspects of the case and the presentation independently. The downside was that not all students worked on the presentation with the same commitment (Excerpt 5.43).

Findings from quantitative and qualitative comparisons of T&L data among the courses are:

- In international EMI mixed proficiency level courses, learners perceive the need to be empowered through well-organized and systematic instruction, modelling and feedback targeted to the learner's present level of readiness of content and language.
- In international EMI mixed proficiency level courses, teachers need to be aware of learners' content and language difficulties derived from studying disciplinary subjects in a foreign or AL. T&L is successfully accomplished if students perceive they can count on teachers to address language instruction and language use at learners' present level of development as they learn content.
- In international EMI mixed proficiency level law courses, given the nature and complexity of disciplinary language needed to teach and learn the law, the integration of law and language as two parallel and distinct subjects is of consequence for the purposes of quality T&L.

The next chapter deals with the findings and conclusions of the case study.

CHAPTER 6

CONCLUSIONS

1. INTRODUCTION.

This chapter draws conclusions in response to the main and two subsidiary research questions (Chapter 1, §5) from data submitted in Chapter 4 which examines perceptions of experience in five English proficiency groups based on LE data. The conclusions also draw on data submitted in Chapter 5 which examines students' and teachers' perceptions of experience in four SLR3 courses based on both LE and T&L data. Section 2 discusses interpretation and findings. The interpretation focuses on three aspects: engaging with the curriculum at different proficiency levels (§2.1), perceptions about T&L law in English (§2.2) followed by a summary and a discussion of findings and patterns in the two main research areas, LE and T&L (§2.3). Section 3 examines reasons for findings focusing on two methodologies, EMI and CLIL, that combine language and subject learning. Section 4 focuses on implications from the study regarding findings, proposing solutions and recommendation (§4.1) and ideas for future research (§4.2). Section 5 discusses contributions and applicability in two fields of study (§5.1) and the consequences at personal and professional levels derived from doing research (§5.2). The final subsection (§5.3), provides a summary of issues the case identifies as important for future research in relation to topics addressed in this study.

2. INTERPRETATION AND FINDINGS.

2.1. Engaging with the curriculum at different proficiency levels.

Data submitted in this case study in response to the subsidiary research question, *What are students' perceptions about engaging in law subjects taught in English?* (Chapter 1, §5), show the existence of problems with the language part of the curriculum (Fig. 4.1, Chapter 4 §2) in SLR3. Students at different levels of proficiency perceive the courses (and language-related activities) in markedly different ways. The comparison of English proficiency levels led to the classification of the student population into five distinct proficiency groups. The findings that resulted indicate that the highest student perceptions scores were obtained not among the most proficient or the less proficient groups of students (Groups 1 and 5) but rather from students whose level of proficiency was sufficient enough to communicate and engage in language-related class activities. This group of students were motivated enough to challenge themselves to fulfill course demands even though, as the data submitted suggest, learning a subject such as law requires having adequate academic language skills (Chapter 2, §4.4).

Due to the complexities involved in learning a discipline such as law in L2, especially in higher education, where knowledge-building and understanding are key components of the learning cycle (Wells 1999), it is now evident that the 'language factor' is of consequence. This study shows the need to address the language factor explicitly and systematically in contexts where a discipline is taught in a foreign or AL. The importance of the language part of the curriculum in such educational settings cannot be underestimated, denied or ignored. The case compares language teaching and learning in SLR3 and CLIL, a relatively new methodology in which language and content are addressed through integration.

These issues are discussed in §2.1 and §2.2 below.

2.2. Teaching and Learning law with EMI in higher education.

This section focuses on several matters relevant to LSP and ESP in university education. Findings indicate that to communicate in a foreign language as medium of instruction in law (as in other disciplines) particularly in cases where students engage in constructive interactive

practices, learning requires the investment of cognitive-academic language proficiency (Chapter 2, §4.4) and subjects need to be approached at deep rather than surface T&L levels (Biggs & Tang 1999; Biggs 2003). Specifically, quality higher education requires redesigning the curriculum to meet a variety of learning needs (Chapter 2, §4.3, Coyle et al. 2010a; Chapter 2, §3.2.4, Llinares et al. 2012).

Quality is re-conceptualized within a framework which takes into consideration specific, discrete domains such as reflexive teaching, deep/surface approaches to learning, needs and aim related to resources and the educational context (Wells 1999; Shulman 2005). In response to the issue of teaching and learning law in L2 (Chapter 2, §3.1), in consideration of the subsidiary questions, *What are students' perceptions about engaging in law subjects taught in English?* and, *What are teachers' perceptions about engaging in law subjects taught in English?*, data in this study show that in teaching a subject such as law in EMI, the quality of input and output to communicate in English is key to understanding and working with subject-topics (Chapter 2, §4.4, §4.5).

Moreover, it is not only subject matter (content) and language (communication) that participants need to engage in (Coyle et al. 2010a). The legal discipline, in particular, requires of students that they learn to process and work with both concrete, context-embedded concepts (e.g. facts, case law history) and complex, highly abstract context-deprived concepts (e.g., interpretation of principles and doctrine in court reasoning). The type of engagement students need when studying law in English or AL by necessity requires pedagogy that activates both lower and higher-order thinking. This is so, especially in classrooms that provide opportunities for learners to engage in case law analysis and debate or Socratic dialogue methods.

International educational settings, additionally, demand teaching approaches, styles and choice of activities conducive to preparing learners for dealing with intercultural communication and higher order cognitive processing in an FL (Coyle et al. 2010a). Language is central to discussions in this case. The courses require that learners understand the subjects and the content in oral discussions. For effective higher order thinking, classes need to at least be homogenous in terms of language proficiency, as evidenced in this and other studies (e.g. Llinares et al. 2012; Maiz-Arevalo et al. 2013).

Data from this programme, generalizable to similar settings where mixed proficiencies exist, show that high proficiency students lose interest in engagement in class interaction if

they perceive the quality of the input to be incomprehensible (Chapter 2, §4.5) or of low cognitive value (speaking only of facts, avoiding discussion of abstract concepts). By contrast, if low proficiency students perceive the input as incomprehensible, beyond their present level of readiness or their ZPD, they tend to become confused and overwhelmed (Chapter 2, §4.2), because of the complexity, level of sophistication and speed in which messages are produced.

This is generalizable to another two quality assurance requirements needed in EMI courses as those researched in this study: (a) teachers need to be trained to work on content in the FL, to initiate and keep the discussions interesting in English or AL by engaging students in communicative activities focused on the ‘construction’ of new knowledge through sharing concepts and ideas grounded on different types of knowledge: factual, conceptual, procedural, metacognitive (Coyle et al. 2010a: 37); (b) teachers need to be trained to teach technical vocabulary and grammar along with the meta-linguistic functions of disciplinary language, i.e., teaching learners to ‘use’ the second language for the purpose of accomplishing specific language speech acts (e.g. arguing, persuading) from which to build the knowledge of the subject (Wells 1999) and ways of communicating through the language of content (Coyle et al. 2010a).

Further generalizations from this international university EMI case study are: (a) learning law subjects in English as medium of instruction puts a premium on the language in which subjects are taught; (b) learners need to be given sufficient and appropriate language “scaffolding” to satisfy their variegated needs to fill their gaps in knowledge of language and content; (c) the learning setting needs to be stimulating to afford constructive T&L, based on communication and knowledge building; (d) because this does not occur spontaneously, teachers are required to plan and incorporate cognitive support elements (e.g., instruction, modelling, feedback, relevant materials) into their teaching plans to obtain the appropriate integration of language and content.

To conclude, quality education is to be conceptualized within a framework that encourages learners to ‘construct’ their own knowledge and it is up to the teacher or expert to challenge learners with activities and tasks that are just beyond their present level of mastery (readiness) and language proficiency. In this approach, teachers are viewed as agents intent on engaging learners in meaningful activities that allow them, on one hand, to build on prior knowledge and successes, and on the other, to gain confidence in activating higher order skills

such as critical thinking, problem-solving and the ability to generate new ideas and new solutions regarding subject matter and language queries.

Effective learning changes the way a learner views the world (Biggs & Tang 1999: 21). This does not occur by mere information acquisition, covering lists of subjects or recurring to rote-memorization to ‘fix’ content for the purpose of sitting an exam. What counts as effective outcome is what the learner does with the acquired information and how he or she structures and uses it to change his or her current level of cognitive development. The conditions for this kind of teaching entail provision of cognitive assistance (instruction, ...), alignment (teaching objectives, learning needs, curriculum design, ...), implementation of innovative techniques for content and language integration.

The learning architecture of EMI law courses views subject matter and advocacy skills learning from the perspective of exposure: students learn English (or AL) while they learn subjects (see Chapter 1, §7.2). It is this feature of the approach that is critical to this study. The English part of the curriculum cannot just be set aside or perceived as the learner’s responsibility. While such autonomy is manageable by some students it definitely is not for others (see Chapter 5, §3.1). Observations evidenced that students who failed to manage oral communication (presentations) or other forms of participation appropriately, failed to take advantage of this type of methodology, designed to learn *in* English, to learn from others, to engage with others in activities and post-activity discussions and debates of an abstract, complex nature. In particular, in disciplines such as law, characterized by the habitual use of interaction to express, explain, predict, develop arguments, often of an abstract, context-reduced nature, accessed from a well-established, historically-based body of knowledge of substantive and procedural law, this type of problem, i.e., failure to learn subjects *through* language, undermines the aims of such programmes: to study the law in an FL at equivalent or near equivalent cognitive and communicative levels as in the MT.

To achieve EALP mastery in non-homogeneous, mixed proficiency international courses, the approach to teaching skills needs to consider: (a) modelling the types of language required to act in a variety of university settings in which the objective is to ‘emulate’ the legal profession; (b) targeting language teaching for content and practice (skills) to student’s present level of readiness; (c) potentiating the capacity of teachers to detect students’ language difficulties when engaging in shared and coordinated interaction to ensure that all engage and all contribute. To accomplish this, Herbert (2002: 189) suggests paying attention

to “learners’ spoken English” as invaluable information to gauge “the types of activities and techniques that will be required” to teach such a demanding skill (see Chapter 5, Excerpt 5.32); (d) practicing using the language by participating in dialogic interaction at each learner’s individual pace and level of proficiency (Chapter 5, Excerpts 5.29, 5.37). Turn-taking is one such example (Chapter 5, §2.3.2).

The conditions for this to take place are discussed in the section below.

2.3. Summary of findings. LE and T&L.

Quantitative-qualitative findings and patterns in this case indicate that language proficiency level for quality engagement and learning in EMI law (as in other disciplines) is of key importance. In international EMI education, students tend to be anxious about their ability to fulfil course demands partly due to difficulties related to studying law in L2 and partly due to the impact of interactive methods, particularly for those who have never experienced this approach to T&L in the past. To increase the quality of these courses, it is important to select candidates whose present level of proficiency is adequate to meet the demands students will be challenged with. Mixed proficiency situations in EMI classrooms, where teaching involves learning from others in dialogic communication (Vygotsky 1978, 1987; Wells 1999; Haneda & Wells 2008), risk the unleashing of unexpected or unwarranted responses such as impatience about other students’ contributions and/or silence or refusal to interact dialogically for lack of confidence in personal capabilities or for the overestimation of others.

The EMI solution, organized almost entirely around content rather than both language and content, where no explicit language teaching is provided, puts a premium on students and teachers. These findings inform course designers to plan and enrol students in classes that are as homogeneous as possible in terms of proficiency. If that were not possible (e.g. budget constraints), institutions need to take action or to move onto an ‘integrative’ solution such as CLIL.

This research finds that not all approaches are fit for teaching law in English at university. In SLR3, students are learning law across a variety of contexts in LSP and ESP. In each of these contexts, student learning is impacted by perceptions that take place in the classroom - events, activities, experiences - and this is all conceptualized in five theories

(Chapter 2, §4). The teaching methodology in law studies has its complexities for it is based on a “case dialogue as pedagogy” approach with additional “pedagogies of practice and performance” (Shulman 2005: 55) as is the norm in law schools. To not include language pedagogy in courses of this nature as subject, is making students dissatisfied because they are unable to sufficiently gain ownership of their own learning.

The next section addresses methodology issues in EMI and CLIL.

3. REASONS FOR FINDINGS.

EU internationalisation and its growing move towards fulfilling cross-border demands in education has raised member states’ awareness of the need to upgrade educational standards to fulfil new types of demands at university in the region. Davies (2006: 39) states that the political context of education in Europe is changing rapidly because of “ambitious EU plans for education and training [...] linked to the 2000 Lisbon agreement” regarding the objective reported above (Chapter 2, §5.1) that the Union develop a competitive, dynamic and innovative knowledge-based economy founded on a strong educational system capable of developing a steady economic growth and of providing more and better work opportunities in a stable, socially cohesive region.

English is by far the preferred EU language. Beneath the policy radar, experts such as Beacco & Byram (2007) admit to the lop-sidedness of having one of the 24 EU official languages be endowed with the role of *lingua franca*. Many share the view that having a *lingua franca* is necessary for practical day-to-day communicative purposes in numerous international sectors. It is commonplace for programmes to choose English as the language in which to teach non-language content (Davies 2006; Dalton-Puffer 2007; Coyle et al. 2010a) as it provides a viable solution for the accomplishment of EU goals (Chapter 2, §5.1). It also puts a premium on developing quality language teaching programmes to meet EU demands: two well know approaches adopted are EMI, researched in this case study, and CLIL.

The difference between the two approaches, previously addressed but summarized here, lies principally in the methodology (Chapter 2, §3), the role of language and the way language and content are addressed (Chapter 2, §3.2). The strength of CLIL lies in the teaching of two subjects (Chapter 2, § 3.2.2). CLIL ‘integrates’ the two subjects. This is a key approach to

ensuring T&L quality where language is an intrinsic part of the curriculum and the methodology proposes placing the focus on teaching the language that best contributes to the learning of content (Chapter 2, §4.3). This is not the case in EMI courses, designed to subsume the ‘language’ part *in* the ‘content’ part (Chapter 2, §3.1). In spite of the compelling evidence in favour of offering an integrated approach such as CLIL, many institutions ‘skip’ the language teaching part of the curriculum, settling for EMI or AL programmes that do not provide language teaching side-by-side with the teaching of content (Chapter 2, §3.1). As mentioned above, in some cases, institutions opt for EMI for budgetary reasons. Institutions take into account the time it takes to train teachers to teach two subjects in light of the fact that CLIL experts are few and the demand for their expertise is on the rise (Coyle et al. 2010a).

The case study moves beyond input modification to negotiation of meaning, following the signature pedagogies pervasive in law schools. Class observations indicate that language teaching is not taking place systematically given that SLR3 pedagogy is prevalently focused on content, not on language. The case presents the dilemma that given the nature of the legal discipline, such as its complex legal vocabulary, literacies, theory of law and the pedagogy of the case law method, the study goes beyond ESP to examine the key difference between teaching-learning *in* a foreign language and teaching-learning *through* a foreign language as in CLIL. I argue that for quality teaching and learning to take place, the teaching approach needs to incorporate explicit teaching of the language of instruction (learning *through* language). The added-value of teaching subject matter *through* a foreign language in intercultural higher education settings is that it provides a new, enriching set of tools to the law curriculum (or other disciplinary curriculum), such as language and law and along with these subjects, an innovative way of incorporating intercultural awareness and cognitive processing as complementary learning pillars (Coyle et al. 2010a).

In English for legal studies in particular, the educational aim is to teach learners how to think the way other members of the discipline have done for centuries. As research illustrates, CLIL includes learning the language *of* content, *for* content and *through* content. In doing so, the learner, accesses higher-order cognitive processing by using language creatively, i.e., using new language, language from the learner’s own repertoire (Coyle et al. 2010a). In a ‘constructivist’ perspective, teaching evolves through dialogic interaction rather than through scholar-academic lecturing. Legal studies require linguistically homogeneous classes as a pre-

condition for generating student-led, cognitively demanding, context-reduced language (et al. 2010a: 68; Llinares et al. 2012).

To stimulate higher-order thinking under the conditions examined in this study, materials, resources, activities and artifacts all require special planning, selecting, developing and/or implementing. Data from this study indicate that students prefer courses that are instruction-friendly, personally engaging, with well-articulated curriculum designs (Chapter 5, §3.1) conducive to meeting educational objectives. Moreover, students prefer teachers that are aware of their language needs and their ‘status’ as L2 learners and in particular, of their differences in terms of the law school norms they bring with them to the new educational settings.

The next section addresses implications of study findings.

4. IMPLICATIONS OF FINDINGS.

4.1. Issues and recommendations.

Interview findings point out that positive/negative perceptions of teaching are related as much to the nature of individual engagement as to the pedagogical relationship (i.e. mutual trust between student-teacher and student-student). Interview and observation findings indicate that not being aware of the potentialities of a/the new educational environment, combined with doubts about accomplishing expected goals (learning law and learning English), increases students’ anxiety and uncertainty, particularly in the case of international students’ without ‘insider’ knowledge about ‘how things work’(Gudykunst 1995) or how they can be ‘manipulated to satisfy educational needs’ (Shaw & Bailey 1990: 327). Classroom culture understanding/misunderstanding affects perceptions about T&L experiences which in turn engenders equally negative perceptions about engaging with the curriculum, perceived approaches to learning of others, the nature of strategies employed to meet course demands (Biggs 1996).

Upon comparing studies on whether the effect of formal language instruction on production accuracy is important or negligible, Ellis (1994: 627) concludes:

[i]t is clear [...] that one important factor determining whether formal instruction results in improved accuracy is the learner's stage of development. Instruction may lead to more accurate use of grammatical structures in communication providing a learner is able to process them. In other words, there are constraints on learners' ability to acquire grammatical structures and, if formal instruction is to be successful, it has to work in accordance with the internal processes that govern why some structures are acquired and others are not.

Ellis (1994), Vygotsky (1987) and Middendorf & Pace (2004) acknowledge the importance of learner readiness. All three authors focus on the question of formal education differently. For Ellis (1994), it is a matter of the learner's readiness for higher, more complex language structure, semantic and pragmatic knowledge. For Vygotsky (1987), it is a matter of instructing the learner on how to progress from one stage of development to another. For Middendorf & Pace (2004), it is a matter of having the teacher explicitly model the steps he/she takes as expert to surpass bottlenecks when working on resolving discipline-related problems or cases (i.e., key disciplinary passages that the learner needs to access to move on to new cognitive processing levels). The authors suggest the approach involves the use of teacher expert knowledge and experience to show students how to overcome bottlenecks or resolve problems independently.

CLIL methodology focuses strongly on the "cognitive demands of a given activity [...] and a constant movement from practical lower order thinking skills through to higher thinking skills" (Marsh 2006: 35). This is of crucial import in law studies in international settings. It is known that law as subject raises the need for quality T&L standards, especially in the case of courses taught in a foreign language, for its complex, abstract, content-reduced nature. These issues are of consequence. Marsh (2006: 35) argues that

CLIL involves learning which requires acquiring new concepts and skills. We should not assume that we learn in the same way in the foreign language as in the mother tongue. Firstly, learners often need extra teaching input to understand the concepts and secondly, these may differ across languages and cultures.

Shaw & Bailey (1990: 327) argue that cultural differences affect international students in important ways which has implications for teaching. For the authors, "one underlying purpose of a cultural component in teacher preparation programmes" is to train teachers to teach students "to learn how to learn" (ibid: 327). Their suggestions are of consequence given that

in international settings, learning how to learn implies preparing teachers to observe and learn about their new cultural settings with a particular view to identifying specific needs as these emerge in the classroom.

The purpose of adding a cultural element to teaching in mixed international classrooms is, according to Shaw & Bailey (1990: 327), to empower international students

to modify the cultural norms in their favor. Instead of students' adapting their norms to the typical norms of host institutions, the concept is to reverse this in order to empower students in intercultural settings to re-negotiate the prototypical classroom interaction and teaching norms by learning how to modify the classroom culture to better accommodate their needs

as well as their learning styles. In this way, "teaching [...] moves from an integrative exercise that tries to iron out significant differences between groups in the academic community" to becoming a significant agent of change for the benefit of teachers and learners alike, placing language teaching for academic purposes at the forefront as "the cutting edge of educational change" (ibid: 327).

Law as subject also puts a premium on students to create their own language, to use the L2 to express their own ideas and thoughts, which in university education occurs at various levels of complexity with different cognitive techniques. In addition, in an international classroom design, interacting with students from other cultural and linguistic backgrounds means learning about their pedagogical norms and legal systems, another key condition of learning the law (Hyland 2000). Hyland signals just how marked law and legal education differences are in terms of how the subject is taught in different cultural systems (Hyland 2000: 39):

Every law is a particular law. It is part of a particular language, embedded in a particular cultural tradition, and designed for a particular people. The laws codified in [a particular legal system] apply directly only to the people in whose language the code is written. [...] no particular legal system can make a direct claim to universality [...]. Each legal system articulates the meaning of law and justice in a particular way.

Evidence in this case study suggests that the relationship between cognition and communication is challenged in the presence of student lack of processing ability caused by low language proficiency. Likewise, the relationship between communication and content is challenged in the presence of student lack of readiness to process legal literacies and

discourse. At the base of students' unfulfilled expectations and negative perceptions about both language and content in SLR3 were communication intelligibility, inability to interact and lack of understanding of the norms regulating communication. Conditions that impact T&L are: level and use of English by tutors and students, intercultural and subject-topic preparedness, the quality of language used, learner capacity to operate efficiently with *basic skills* and *cognitive academic skills*, clarity of input and output related to knowledge of language and language fluency.

In view of the above, the present study recommends teacher training, testing and information. Teacher training aimed at making staff members aware of the capabilities of a dual-focused pedagogy such as CLIL. Language testing in the pre-enrolment phase to accurately determine candidates' "present" level of English proficiency. Information provided by institutions to national and international students (e.g. SLR3 or similar programmes) about courses, teachers, students, methodology and university culture.

4.2. Implications for future courses.

The CLIL curriculum is designed to produce the most effective integration of two subjects, language and content. This is premised on the following conditions: (a) as Ellis (1994) wrote, the teacher needs to be aware of the learner's capacity to understand instruction; (b) for the student to understand the teacher, the teacher needs to be proficient in the language of instruction (Hellekjaer 2009; Aguilar & Muñoz 2013); (c) students are successful at meeting course demands if they are able to appropriately work with legal literacies and discourse (Wells 1999); (d) the impact of content teaching in L2 shows that content learning can be effective if instruction techniques are adapted to the course and the participants (Wilkinson 2005: 4). Two examples of adaptations made by teachers in Wilkinson's study were: to avoid information overload and to take extra time to express nuances of meaning deemed of consequence.

In light of Chapter 4 and 5 comparisons, in accordance with what has been discussed in Chapter 2, §3 regarding EMI and CLIL along with studies addressing issues as to whether SL instruction makes a difference (e.g. Long 1983), this case study shows that for higher education courses such as the four examined in this case study in which students learn

subjects in a foreign language, because of the nature and complexity of studies such as law, CLIL is the more appropriate methodology to implement.

The following and last section provides concluding remarks, formulated in terms of contributions and study applications (§5.1), the researcher and the personal (§5.2) and new issues for future research (§5.3).

5. CONCLUSION.

In international courses such as the ones compared in this case study, students enjoy the benefit that derives from knowing enough English (or alternative medium of instruction) to satisfy course demands - learning content, participating in cognitively engaging communication, learning about other cultures (e.g., how legal systems are conceptualized, taught and systematized in other countries). The need to move in a new direction with a new approach is manifest through students' perceptions about their interest in improving language for learning discipline-related subjects and practices, enhanced by the chance to transfer knowledge of English or AL and content, enriched by equally transferable knowledge of intercultural competence and the cognitive-academic processing of legal literacies.

Generalizations drawn from this study are that studying a discipline in higher education in a foreign language is perceived as a positive or beneficial learning experience provided the learner's proficiency level is closest to his/her present readiness to learn and understand a disciplinary subject in L2; also, that the further learners find themselves in a particular educational setting in relation to their present level of readiness (ZPD) to speak in the language used to teach content subjects, the lesser the chance that the person will perceive the pedagogical experience positively and fulfilling in terms of needs and goals (Vygotsky 1978, 1987; Moll 1990; Wells 1999).

The next section discusses contributions and applicability of the study to other cases, contexts, and participants.

5.1. Case study contributions and applicability.

The study makes a contribution in the fields of LSP and ESP in applied linguistics and bilingual education. The contribution is articulated into two parts. First, proficiency and participation. The data submitted in this case study indicate (Chapter 4, §3, §4), supported by language and learning theoretical strands (Chapter 2, §4), that students learning a discipline in English as a foreign or AL are unable to properly engage in class interaction, understand lectures, participate in discipline-based complex oral practices to the full extent if their level of proficiency in the language used as medium of instruction is too low to allow for agency and meaningful participation (Chapter 2, §4). The data in addition indicate that if students learning a discipline in English as a foreign or AL are too advanced compared to the majority of class peers in terms of proficiency level, they find it difficult to engage in class interaction and remain motivated to take part in class activities such as listening to lectures or participating in discipline-specific oral practices. Those students whose level of proficiency is appropriate to meet course demands, on the other hand, i.e., students whose level of proficiency is closest to the mid-point class proficiency level (Chapter 4, §5.1, 5.2) perceive their learning as enriching, motivation-enhancing, cognitively and inter-culturally engaging.

Second, law education and methodology. The data indicate that international bilingual education law programmes focused on quality learning as their prime objective, where the goal is to teach content in a foreign language, require a different, more sophisticated, ‘integrated dual-focused methodology’ designed to incorporate content and language as two parallel subjects into the curriculum. Constructivist education theory (Chapter 2, §4.1-4.5) and the data at hand indicate that given the nature of law as curricular subject, characterized by its complex literacy, technical vocabulary and articulate syntax along with the abstract nature of the subject-topics (see Chapter 2, §2.1 and §2.2), particularly where courses are taught in EAL (Chapter 2, §3.1), it is the ‘integration’ of subject learning and language learning that has the greatest impact on quality learning as opposed to mere ‘exposure’ to the language as in the case of approaches such as EMI. A higher education initiative that incorporates a multi-domain, complex methodology such as CLIL (Chapter 2, §3.2), designed to provide a comprehensive educational experience with additional curriculum elements that stand in a direct, symbiotic relationship with content and language such as cognition and

culture, provide an added, cutting-edge feature to disciplinary T&L in a foreign language in line with 21st century education needs.

Data and findings from this study also indicate that teaching a subject *in* a foreign language within the EMI configuration does not automatically result in learning language, learning content or learning for quality education, as with alternative ‘integrative’ configurations such as the CLIL design. The data show that CLIL goes beyond the view that by simply sitting in class and taking notes in settings where content is taught in a foreign language, learning will take place. Even though, as an approach, EMI appears practical for programmes in the launching phase because it offers a solution to temporary problems of an economical and policy nature common of the starting stage, this is no longer the case for programmes which have reached a certain ‘degree of maturity’ such as SLR3 today (Chapter 1, §3.2, §3.3), where a far better, more sophisticated, culture-sensitive, quality learning approach is needed for the teaching of highly complex international law studies as well as equally complex and sophisticated studies in other disciplines.

To conclude, tertiary educational programs where law or other disciplines are taught in a foreign language such as the EMI law course researched in this case study, are not fit for all students and for any university lecturer who may have some knowledge of English to teach law. Findings from this case study confidently predict that without pre-determined design conditions as those indicated above, where language and content constitute parts of a single, integrated curriculum design, involving the systematic theoretically-based T&L of four curriculum components (language, culture, content, cognition), the type of programme examined here is destined to perpetuate poor quality delivery, mixed perceptions and missed goals.

In terms of case study applicability, findings indicate that because law as a subject poses certain challenges due to its complexity and abstractness, an approach to learning that is restricted to simply teaching subjects *in* EAL does not go a long way as a viable, solid approach to teaching and learning language and content, particularly in higher education, and especially in law schools. On the contrary, the case shows that CLIL methodology responds adequately to such needs at tertiary level (institutions, policy-makers, stakeholders) in correspondence with European, regional, national and local benchmarking focused on achieving ‘high quality’ education that meets internationalisation and rapid expansion goals for the 21st century (Chapter 2, §5). CLIL has the potential of placing SLR3 and any other

methodologically similar law programme in a cutting edge position as a viable, alternative, 'language and law' quality T&L educational choice.

5.2. Research and the personal domain.

Doing research has allowed me to re-examine and re-conceptualize my practice and incorporate new ideas to optimize classroom teaching and learning. In the course of the study, I have become familiar with students' language and learning difficulties that derive from learning law in a foreign language and the conditions needed to optimize the learning experience. From students' comparisons of their language and law school educational experiences I have acquired invaluable information for exploring, improving and reflecting on differences between home and host university programmes and home and host legal education practices. From observations and interviews I have enhanced and enriched my knowledge base of international law.

The experience of doing research is timely for it has enhanced my interest in pursuing further work in CLIL methodology in English for Legal Purposes in higher education and the professional sector. My international teaching experience has been well served by my renewed knowledge and experiences obtained from case study research on SLR3. The scope of my practice has expanded from teaching English for Legal Purposes at university to teaching English for Legal Purposes for the judiciary in numerous EU member states. These professional courses can be described as CLIL-Law courses taught in English to participants from different countries who speak different languages and operate within very different criminal and civil law jurisdictions and areas of specialization. This new approach to teaching based on partnerships where the linguist and the judge work side-by-side synchronizing the teaching of the subjects is innovative and places this variety of CLIL as a cutting-edge methodology at national and EU levels.

5.3. Issues identified from future study.

Based on what has been discussed above through the comparison of EMI and CLIL methodologies, in regards to the teaching and learning of language and content and the need to upgrade the international provision in higher education, several new issues are identified for future study.

To begin, more future research is needed to explore the CLIL curriculum for its potential to access a considerable reservoir of concepts, subjects and meanings that engage students in real communication as addressed in Dalton-Puffer (2007: 3). In higher education CLIL, more research is needed that looks deeper into the nature of the methodological integration of disciplinary content and language, particularly in educational settings where, in spite of declared aims, in practice the teaching of one subject tends to prevail over the teaching of the other in terms of time and budgetary allotments for the teaching of each subject (Dalton Puffer 2007: 5; Wilkinson 2008: 7; Coyle 2008). A topic of interest that stems from research in this study is future study on the impact of naturalistic language exposure, as opposed to explicit language teaching in integrated language and content learning and the effects in several disciplines. Another future research topic of interest in higher education CLIL is to investigate the nature, role and impact of the foreign language on the teaching-learning of content and the opposite, i.e., the nature, role and impact of content on the teaching-learning of the foreign language.

Many SLR3 Italian and international students described their foreign language background in school as inadequate. They commented about being taught foreign languages by inexperienced substitute teachers (often at the start of their careers), or by teachers who barely knew or spoke the language. In Italy, Costanzo (2003: 8) writes, “traditional language teaching” is based on a view of language as a model to be mastered through teaching methods based on Latin by means of grammatical rules and exercises in applying and understanding them, and by reading aloud, writing essays and copying “good” examples.” Against this backdrop, new policy proposals for language education, named “educazione linguistica,” were seen, according to Costanzo, as disrupting “the tranquil lives of teachers of “literature” proper by introducing the novelty of “linguistics,” which derives from a tradition of descriptive linguistics in which such terms as “social uses of language,” “communicative functions” and “interaction” were “increasingly to make themselves heard” (ibid: 8). The underlying belief

shared by institutions and teachers regarding language education in Italy, generalizable to other countries, is the idea that it is better to study *about* foreign language literature in Italian (or other language) than to learn the literature of a foreign language and how to communicate *in* the language itself (ibid: 17).

Future studies need to focus on how to make new methodologies, including CLIL, more effective and more attractive for students and teachers so the voices in Costanzo's study move away from the habitual comfort zone of 'traditional' teaching. This involves embracing new alternatives in view of the EU objective of reaching the MT+2 benchmark which requires teachers to purposefully trade their die-hard attitudes and beliefs about teaching language and content for the view that to contribute with research and practices for the purpose of enriching present methodologies such as CLIL or developing novel ones, is personally rewarding, institutionally useful and in line with the internationalisation of education in an increasingly more complex, fast moving, variegated globalized world.

APPENDICES

1-15

APPENDIX 1

Two approaches to inquiry

Date: 18.12.11.

Grounded theory

Charmaz (2006) and Corbin & Strauss (2008), both grounded theory research experts, distinguish between two schools of thought. The schools diverged after the founding fathers Barney Glaser and Anselm Strauss wrote their seminal book, *The discovery of Grounded Theory*, in 1967). Both Charmaz (2006) and Corbin & Strauss (2008) converge on a number of interesting points. (a) the research begins from the data which means categorization emerges from the data itself; (b) the process of analysis is done early on, from the very first interviews, observations and analysis of documents; (c) data gathering and data analysis are iterative processes. Iteration eventually leads to what in grounded theory is called theoretical sampling upon reaching saturation point; (d) once saturation point is reached, that is, once the data gathered no longer contributes to the process of discovery of new categories or abstractions, the researcher writes the final draft and orients his/her work in the direction of theory discovery; and, (e) the authors agree on the need to halt previous theoretical assumptions and the inclusion of a literature review until the theoretical sampling is complete. The reason is to avoid being influenced by previous theories.

Case study

What is special about case studies? Case studies are supposed to give a comprehensive and systematically organized framework for the exploration of human activity in a particular setting. Based on Stake (2003: 136-137), SLR3 would be described as an 'intrinsic-instrumental' case study. Intrinsic because as researcher I am undertaking this study to better understand this particular university programme. I agree with Stake who states that a researcher in an intrinsic case study does not undertake the work because it "represents other cases or because it illustrates a particular trait or problem, but because, in all its particularity *and* ordinariness, this case itself is of interest" (2003: 136). In relation to generalizing or emphasizing the particularity or uniqueness of single cases, Alderman et al (1976: 78) state that it is expected that "insights, findings, and knowledge that emanate from [a]particular

instance,” could be put to use in other instances of the class. Stake (ibid: 140) corroborates this concept by stating that “case study method has been too little honored as the intrinsic study of a valued particular, as it is in biography, institutional self-study, program evaluation, therapeutic practice, and many lines of work.” For the author (2003: 140),

The bulk of case study work [...] is done by individuals who have *intrinsic* interest in the case [...]. Their designs aim the inquiry towards understanding of what is important about the case within its own world. [...]. Those designs develop what is perceived to be the case’s own issues, contexts, and interpretations, its *thick description*.

In regards to the issue of gauging when a case study, as opposed to other rival methods, is appropriate, Yin (2009: 4) claims that the design depends mostly on the research questions chosen for the study. In his words:

The more that your questions seek to explain some present circumstance (e.g., “how” or “why” some social phenomenon works), the more that the case study method will be relevant. The method also is relevant the more that your questions require an extensive and “in-depth” description of some social phenomenon.

Yin (2009: 46) makes a distinction between single- and multiple-case designs. A case study with one unit of analysis is described as a holistic case study design. Within a single-case design, there may be a single unit of analysis, or multiple units of analysis embedded in the single case. In case studies such as SLR3, where the purpose of the study is an evaluation of participant’s perceptions in four courses, the courses are considered embedded units within the single programme. A word of warning from Yin (ibid: 52) on embedded single-case studies is to avoid concentrating too strongly on the subunits rather than keeping the larger unit of analysis in full view. In single-embedded case studies, Yin claims (ibid: 52), “If too much attention is given to these subunits, and if the larger, holistic aspects of the case begin to be ignored, the case study itself will have shifted its orientation and changed its nature.”

Consequently, in the final write up, the case is described (Chapter 1, §6) as:

a qualitative-quantitative explanatory, within-site study of four courses in a university programme oriented towards a policy of internationalisation aligned with the EU objectives stated in the Bologna 1999 pledge and in Council of Europe, Resolution 1976 (COE 1976) that set out to raise the quality of education in Europe in general and EU policies in regards to language education in particular.

APPENDIX 2

Main study student interview questions

The interview questions asked were the following:

- 1) Tell me more about you. Where are you from? How long have you been in Rome? How long are you staying in this city?
- 2) Can you tell me about your English language background? Where did you study English and for how many years?
- 3) How are you feeling about participating in this course? Is the course what you expected it to be before you started? Tell me more.
- 4) Can you say more about language difficulties you've experienced during the course? For instance, syntax, legal terminology, listening?
- 5) How do you feel about speaking in class to give opinions, telling others what you know or your position about a legal case? What has been your experience.
- 6) How about when You are the protagonist, let's say, when you have to prepare and give a presentation in class? Can you tell me more about that experience?
- 7) How much time do you dedicate to preparing for the next day's lesson?
- 8) What strategies do you use to remember and understand the cases and readings for the course?
- 9) In which language do you do your preparation and writings for the course?
- 10) How about networking among colleagues? Do you think you'll keep your contacts with students in the class after you finish the course?
- 11) Do you think you'll use English in your future as lawyer, judge, or other kind of work?
- 12) Other comments about your experience?

APPENDIX 3
Main study questionnaire form

***Studying Law at Roma Tre (SLR3).English for Legal Purposes Research Project.
Expectations and Perceptions of Experiences Questionnaire***

INTRODUCTION TO THE PROJECT

The English for Legal Purposes Research Project is an initiative designed to investigate how you, as law students, are engaging with the curriculum at the *Studying law at Rome Three* (SLR3) programme. The research project hopes to investigate your expectations and perceptions of experiences about ‘doing the legal subject’ in a course taught entirely English such as this one.

I am very grateful for your involvement in this project, and appreciate the time and effort that you are giving to fill in this questionnaire.

Isabel Alice Walbaum Robinson, researcher at the Department of Linguistics, and lecturer of English for Legal Studies at the Faculty of Law, University of Rome Three.

DATA PROTECTION LAWS

All the information that I collect from this research project will be used only for the purposes of the research itself and will be kept confidential to the researcher herself. It will not be published or released to anybody else without your express consent. As participant, you will be given the option of reading the research results and making comments if you believe my interpretation is not correct.

In accordance with the Italian Data Protection Laws, I ask you to sign the following declaration.

I agree to allow the university to provide the researcher with my name, contact details and other information about my course of study. I also agree that this information, and the data collected from me, may be held and processed by the researcher for the purposes of the research project.

Signature_____ Date _____

BACKGROUND INFORMATION

NAME & SURNAME _____

COUNTRY OF ORIGIN _____

UNIVERSITY, FACULTY, DEPARTMENT _____

THIS COURSE UNIT OR MODULE _____

STUDENT IDENTITY NUMBER _____

AGE _____

MALE ____ FEMALE ____

YEAR OF STUDY _____ EMAIL ADDRESS _____

1. EXPECTATIONS ABOUT SLR3

Please put a cross in the appropriate box to indicate **how strongly you agree** with **each** of the following statements.

5 = *very strongly* 4 = *fairly strongly* 3 = *about average* 2 = *rather weakly* 1 = *very weakly/not at all*

5 4 3 2 1

A. **LEGAL ENGLISH – general**

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1. I can see myself using English to work in the international Legal profession in the future. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. I want to communicate Legal concepts in English effectively with my colleagues. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. I want to be given help to solve language problems when they are needed. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. It is important that staff promote group interactions and discussions in English. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Knowledge of Legal English terminology is important in my profession. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

B. **LEGAL ENGLISH – skills**

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 6. I hope the course gives me the chance to become effective in solving Legal problems in English. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. It is important for me to improve my ability to speak and discuss Legal subjects in English. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. I want this course to help me improve my English writing skills. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. I want to read more articles in English in my subject area and to contribute with summaries and comments. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. I hope to improve my presentation/communicative skills in English in this course unit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Please put a cross in the appropriate box to indicate **how strongly you agree** with **each** of the following statements.

5= *very strongly* 4 = *fairly strongly* 3 = *about average* 2 = *rather weakly* 1 = *very weakly/not at all*

5 4 3 2 1

C. PERSONAL GROWTH

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 11. It is important that the English and Legal issues/concepts I am learning will give me a broader world perspective. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. I expect that English will allow me to improve my social opportunities and networks. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. I want the whole experience here to make me more self-confident. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14. I hope to have plenty of opportunities to meet new people that help me grow professionally. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. I expect that my ability to communicate about Legal subjects in English will continue to improve. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

D. TEACHING/LEARNING PROCESS

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 16. It is important that the materials we are given provide plenty of examples and illustrations to help me understand the concepts we are being taught. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 17. I expect effective feedback from staff about my progress in this course unit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 18. I expect the topics of the course unit to follow each other in a way that makes sense to me. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 19. I hope to be able to prepare adequate reports that reflect my progress in this course. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 20. It is important to learn to link different Legal topics/issues within the course unit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Identify any other elements that you think are meaningful for analyzing your expectations (please be specific):

2. PERCEPTIONS ABOUT SLR3 EXPERIENCES

Please put a cross in the appropriate box to indicate how strongly you agree with **each** of the following statements.

5 = very strongly 4 = fairly strongly 3 = about average 2 = rather weakly 1 = very weakly/not at all

	5	4	3	2	1
A. LEGAL ENGLISH - general					
21. I am learning and using many new Legal terms in English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. I am more aware of the correct use of verbs when communicating in English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. Studying in English helps me to improve my ability to participate effectively in work groups in this course unit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. The course promotes deep knowledge of the Legal subjects and English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25. I am making less grammar mistakes in English since I started the course.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. LEGAL ENGLISH - skills					
26. The quality of my Legal English writing is better since I started this course unit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27. My ability to listen carefully and understand what others are saying has improved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. I am able to read core disciplinary articles/documents in English with ease.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29. Interacting with other students in English helps me reinforce my Language skills.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. I am able to make presentations of my work in English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. PERSONAL GROWTH					
31. My ability to think critically about Legal issues while coping with language problems has grown significantly since I started this course unit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32. Studying Law in English gives me the impression of being a world citizen.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33. Communicating in a global language such as English has enriched my professional qualifications.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. Studying Law at Rome Three in English is giving me opportunities to meet important people for my future career.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please put a cross in the appropriate box to indicate how strongly you agree with **each** of the following statements.

5 = *very strongly* 4 = *fairly strongly* 3 = *about average* 2 = *rather weakly* 1 = *very weakly/not at all*

	5	4	3	2	1
35. I am improving my ability to defend a Legal position in English effectively.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D. TEACHING/LEARNING PROCESS

36. The course unit is well organized and runs smoothly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37. I can access materials and consult web pages suggested by staff in English by myself.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38. The Legal topics have been presented by staff in a way that makes sense to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39. Studying law at Rome Three has taught me new ways of linking the different course unit topics among themselves.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40. I am improving my ability to summarize Legal subjects in English.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Identify any other elements that you think are meaningful for analyzing your experiences (please be specific):

Finally, how well do you think you're doing in this course unit as a whole? Please try to rate yourself **objectively**, based on any marks, grades or comments you have been given.

very well	well	/quite well	above average	not so well	rather badly
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please check back to make sure that you have answered every question.

Thank you very much for spending time completing this questionnaire: it is much appreciated.

Add any other comments /anecdotes about Studying Law at Roma Tre.

Note: This questionnaire has been adapted from two ETL project questionnaires developed by the Universities of Edinburgh, Durham and Coventry in 2002, ETLQ and CETLQ.

APPENDIX 4

Interview informed consent form

The working title of the research project you are taking part in is:

Investigating students' and lecturers' engagement in a new Italian university law programme taught in English. An English for Specific Purposes (ESP) case study.¹⁸

The purpose of this research is to investigate law students' engagement in their dealing *immediately* with the academic and language demands of a programme, *Studying law at Rome Three* (SLR3), taught entirely in English. The study examines 'engagement' in terms of students' experiences, perceptions and expectations in learning the disciplinary subjects and ways of thinking and practicing Law in English, not simply in relation to "English fluency", but also in terms of unpacking (gradually getting to understand) the specific complexities of European and international law. The research will also look at how students are facing the compound challenge of engaging with 'doing the legal subject' and coping with the language demands either as non-native speakers of English (non-NSE), near-native speakers (near-NSE), or native speakers (NS) of English.

The questions you will be asked regard your personal thoughts, opinions, and comments about participating as a student of Law in the Studying Law at Rome Three programme. The researcher is fully committed to both the respect and responsibilities involved in this research project in the field of English as a Foreign Language (EFL) education. An ethic of respect implies a consideration for the Person, Knowledge, Democratic Values, Quality of Education Research, and Academic Freedom. It also involves responsibilities towards Participants, Educational Institutions and the Research Community. While the information given by interview participants will be used for the purposes of this research, names will in no way be made public without the interviewee's express consent.

Researcher's signature

Participant's signature

¹⁸ Chapter 3, §1.1 reports changes made to the original research question.

APPENDIX 5

Pilot to main questionnaire questions

Table 1 below contains a summary of additions and eliminations made to the Pilot questionnaire (PQ) to create the Main Questionnaire (MQ) in the main study. The Comment section provides the rationale for choices and decisions taken.

Table 1. Summary of changes made to pilot questionnaire.

PILOT QUESTIONNAIRE	MAIN QUESTIONNAIRE	COMMENTS
45 questions	40 questions	The two pilot participants commented that the questionnaire was too lengthy.
The final section sought to give students the chance to 'evaluate how they were doing in the course overall.	The final section was kept.	This section was considered useful.
A total of 4 spaces were given for participants to make comments on each subsection. These were qualitative responses included to explain difficulties with interpretation that respondents may have encountered. The phrase "Other (please specify)" was provided.	Sections 1 and 2 were given a space each for participants to add qualitative comments - Expectations and Perceptions of Experiences - for each section. The instruction given was: "Identify any other elements that you think are meaningful for analysing your expectations or perceptions (please be specific).	The phrase "Other (please specify)" was eliminated because it gave insufficient information about what respondents were supposed to do. In addition, an area for comments was included at the end, after respondents completed the 45 questions, worded as follows: 'How well are doing in the course?'

Table 2 below provides a question by questions comparison between pilot and main questionnaire questions. Comments are provided in the third column.

Table 2. The questions. Comparisons and comments.

Q.	PILOT QUESTIONNAIRE	Q	MAIN QUESTIONNAIRE	COMMENTS
1, 4	I <u>want</u> to develop knowledge and skills I can use in a career. I <u>can see myself</u> working in the future in the subject area covered by this unit.	15	I <u>expect</u> that my ability to communicate about legal subjects in English will continue to improve.	Reformulated. The term <u>want</u> and <u>I can see myself</u> have been substituted for <u>expect</u>
2	I hope to have the chance to meet people <u>that will mean something to me</u> in the future.	14	I hope to have plenty of opportunities to meet new people <u>that help me grow professionally</u> .	Reformulated.
3	I mainly need to improve my English to qualify for an international job.		I can see myself using English to work in the international Legal profession in the future.	Reformulated. Some elements in the original questions were omitted (western legal culture).
5	I can see myself becoming competent with English and western legal culture.			Not included
6, 8	I hope the things I learn will help me become a person with a worldwide perspective and broad professional culture. <u>English and legal knowledge will improve my opportunities for world cooperation in developing countries</u>	11	It is important that the <u>English and legal issues/concepts</u> I am <u>learning</u> will help me become a person with <u>a worldwide perspective</u> .	PQs are related. Reformulated question 8 (not sure whether students would understand the question). Solution= ‘English and legal issues’ binomial kept; ‘learning’ rather than ‘improve my opportunities’; ‘worldwide perspective’ rather than ‘world cooperation in developing countries.’
7	I <u>hope</u> that English will allow me to enhance my social opportunities and networks	12	I <u>expect</u> that English will allow me to improve my social opportunities and networks.	Reformulated. The term ‘hope’ substituted for ‘expect’
9	I hope the whole experience here will make me more self-confident	13	I want the whole experience here to make more self-confident.	Reformulated: changed ‘I hope’ for ‘I want’. The latter reflects the proactive nature of most law students.
10	Participating in a course like this will give me a chance to compare			Eliminated. It embeds two very different concepts.

	different legal systems and to become effective in solving problems in more than one language.			
11	Being in this educational environment helps me improve my knowledge of English and skills			Eliminated.
12	I am learning skills and technical procedures that I will need in my future career			Eliminated. Covered in MQs 26-30
13	I can communicate core disciplinary concepts in English efficiently.	2	I want to communicate Legal concepts in English effectively with my colleagues.	Reformulated. Reflects the setting.
14	I am comfortable about working with other students in groups and pairs in English.	4	It is important that staff promote group interactions and discussions in English.	Reformulated.
15	I can now find the information I need to carry out written work in English by myself.			Eliminated.
16	The course unit is well organized and runs smoothly	36	Same	No change.
17	The topics seem to follow in a way that makes sense to me.	38	The Legal topics have been presented by staff in a way that makes sense to me.	Reformulated to reflect the setting.

18	We are given <u>a good deal of help to improve our familiarity with English.</u>	26-30	These questions – in Legal English skills – all address the issue of ‘familiarity.’ It was necessary to differentiate skills from other questions. The model for skills is based on the European Union research carried out by the Council of Europe, Framework of Reference for Language, still in use today.	Question is not clear. Solution: break down the skills into different distinct parts based on Richterich & Chancerel’s (1978) identification of the 4 basic language skills for second/foreign language acquisition: reading, writing, listening and two for speaking (public sphere: interacting and presenting)
19	This unit encourages me to relate what I have learned to issues in the wider world.			Partly covered by MQ question 31.
20	Staff encourage me to think critically about subjects we cover in class.			Eliminated
21	Staff explain key legal concepts well in English.			Eliminated
22	The learning process <u>encourages deep knowledge of the subjects.</u>	24	The course <u>promotes</u> deep knowledge of the <u>Legal</u> subjects and English.	Reformulated. ‘encourages’ substituted for more impersonal ‘promotes;’ ‘deep [...] subjects’ for ‘Legal subjects and English.’
23	The teaching in this unit gradually builds confidence in my language ability.			Eliminated
24	Materials provide <u>plenty of</u> examples and illustrations to help me to understand things <u>better.</u>	37	I can access materials and consult web pages suggested by staff in English by myself	Reformulated. The word ‘better’ as well as other expressions in earlier versions including: ‘enough’ and other qualifying words such as ‘seem to’, ‘plenty of’, ‘sense about X’, ‘most of’, ‘really’ were dropped.
25	I can easily read materials and consult web pages suggested by staff in English			
26	Students support each other and try to give help when it is needed.			Eliminated
27	Talking with other students in English helps me reinforce my language and legal skills.			Eliminated

28	I find I can generally work <u>comfortably</u> with other students on this course unit.	23	Studying in English helps me to improve my ability to participate effectively in work groups in this course unit.	Reformulated. The adverb 'comfortably' was eliminated.
29	Staff are always promoting group interactions and discussions in English.			Eliminated
30	Staff explain different class activities well in English.			Eliminated
31	Learning about the common law legal system.			Eliminated. The subjects taught in the four courses do not focus on common law proper.
32	Ability to <u>think critically</u> about <u>ideas and to solve problems</u> .	31	My ability to <u>think critically</u> about <u>legal issues</u> while coping with the language problems has grown significantly since I started this course unit.	Reformulated. PQ 32 is truncated. Solution: adding 'My'; the noun phrase 'legal issues' was added, substituting 'ideas and to solve problems'.
33	Skills or technical procedures specific to the course unit subject(s).	35	I am improving my ability to defend a legal position in English effectively.	Reformulated. PQ 33 appears truncated, retained not appropriate for FL students. Solution= add 'I' to the sentence.
34	Learning the <u>legal terminology</u> in English.	21	I am <u>learning and using many new Legal terms</u> in English.	Reformulated. PQ 34 is also truncated. Solution= to relate the question to the student's perceptions by adding personal pronoun 'I'.
35	<u>Capacity to summarize</u> and reach conclusions in <u>this subject</u> .	40	I am improving my <u>ability to summarize</u> Legal subjects in English.	Reformulated. As with PQs 32-34, PQ35 is truncated so 'I am improving' was added. The noun phrase 'this subject' is vague and substituted for 'Legal subject'. The 'capacity' was substituted for 'ability'; substituted 'conclusions' for 'Legal subjects in English'. This shifts the focus of the question in line with a research on the impact of L2 or EFL in the study of a discipline.
36	<u>Capacity to link</u> different topics within the course unit and others	39	Studying Law at Roma Tre has taught me new <u>ways of linking</u> the different course unit topics among themselves	Reformulated. As in questions 32-35 above.
37	I am able to defend my point of view in English in writing			Eliminated.

38	I can read articles in English in my subject area and make comments.	28	I am able to read core disciplinary articles/documents in English with ease.	Reformulated.
39	I can write papers/essays about legal subjects in English	9	I want to read more articles in English in my subject area and to contribute with summaries and comments.	Reformulated.
40, 41	I understand when other students are expressing their ideas to me. I am able to discuss and argue about a legal subject in English	29	Interacting with other students in English helps me reinforce my Language skills.	Blended these two questions and reformulated.
42	I am understanding what is being taught. Language is not a problem for me.	22	I am now more <u>aware of the correct use of verbs</u> when communicating in English.	Reformulated. Two questions were developed.
		25	I am making less grammar mistakes in English since I started the course	
43	I can present the results of my work effectively in class.	30	I am able to make presentations of my work in English	Reformulated
44	I can improve my professional qualifications with my new technical skills.			Eliminated.
45	I am able to participate effectively in a working group.			Eliminated

Note: Those questions developed specifically for the main questionnaire are not included in this comparison.

APPENDIX 6

Pilot to main interview questions

Interview questions were prepared and tested with two students. In Table 1, pilot interview and main interview questions are displayed to facilitate the comparison.

Table 1. Pilot and Main research questions. An explanation.

Q	Pilot question (Pilot Q)	Q	Main research question
		1	<i>Tell me more about you. Where are you from? How long have you been in Rome? How long are you staying in this city?</i>
1	<i>Can you tell me about your English language background. Where did you study English? For how many years?</i>	2	<i>Can you tell me about your English language background. Where did you study English and for how many years?</i>
2	<i>Is the subject matter easy or difficult for you in English? Can you tell me more?</i>	3	<i>How are you feeling about participating in this course. Is the course what you expected it to be before you started? Tell me more.</i>
3	<i>Tell me how you feel about participating in this course - your language proficiency and skills.</i>		
4	<i>Could you point any concrete linguistic problems that are particularly difficult / easy for you? Can you tell me more?</i>	4	<i>Can you say more about language difficulties you've experienced during the course? For instance, syntax, legal terminology, listening?</i>
5	<i>Is speaking out in class, for example when giving an opinion or making a comment difficult for you?</i>	5	<i>How do you feel about speaking in class to give opinions, telling others what you know or your position about a legal case? What has been your experience?</i>
6	<i>How do you feel about organizing written work in English for the next day?</i>	6	<i>How about when You are the protagonist, let's say, when you have to prepare and give a presentation in class. What can you tell me about that experience?</i>
7	<i>How about when You are the protagonist, let's say, when you have to prepare and give a presentation for others in class. What can you tell</i>	7	<i>How much time do you dedicate to preparing for next day's lesson?</i>

	<i>me about that experience?</i>		
8	<i>How close is Studying Law at Rome Three from what you expected it to be before starting the course?</i>	8	<i>What strategies do you use to remember and understand the cases and readings for the course?</i>
9	<i>Do you think you'll be able to use English as a legal professional in the future?</i>	9	<i>In which language do you do your preparation and writing for the course?</i>
10	<i>How about networking among colleagues in the course - will it work once you all get back to your own studies / normal life?</i>	10	<i>How about networking among colleagues. Do you think you'll keep your contacts with students in the class after you finish the course?</i>
11	<i>Can you make any other comments related to language that I have not mentioned?</i>	11	<i>Do you think you'll use English in your future as lawyer, judge, or other kind of work?</i>
		12	<i>Other comments about your experience?</i>

Table 2. Comments on the final interview questions (Main study).

Q #	Comments
Q 1	This question opens the interview. It was introduced after the pilot when I realized the importance, in a multicultural context, to include students' backgrounds as source of data. The question purpose was to help students feel at ease by asking them to talk about themselves.
Q 2	This question was left the same.
Q 3	This question replaces Pilot Q #2 (difficulty/easy subject matter). The new question has to do with expectations about the course.
Q 4	This question is similar but more elaborate than the Pilot Q #2. It was reformulated to include language experiences to obtain comments on potential problems with terminology and listening.
Q5	Pilot Q #5 was reformulated in a more articulated way. In the main study question, the purpose was to look for more detail about performing in L2.
Q6	This question corresponds to Pilot Q #7.

Q7	This question, like Pilot Q #6, asks the student about engagement. It answers subsidiary question 1, perceptions related to learning.
Q8	This research question has to do with experiences with learning method (the idea is to find deep and surface learning experiences. It does not have a match in the pilot question list.
Q9	This is a new question. Here the focus is on the linguistic medium in which students do their work. It is interesting to know if students translate or use English directly as doing so may change the experience of learning considerably.
Q10	The social aspects of learning have to do with Q #2 of the main research. Pilot Q #10 was reformulated to eliminate 'get back to normal life' by ending the question with 'after you finish.' The change was made because I realized my pilot students did not quite understand what was meant by 'living a normal life'; this could take place several years after the person enters the profession.
Q11	This question corresponds to Pilot Q #9. The word 'expectations' was not repeated. It was reformulated as 'future as lawyer.' In Q #9 reference was made to 'future life as legal professional;' because this does not always happen, main research Q #11 ends with the phrase 'or other kind of work.'
Q12	This question corresponds to Pilot Q #11 which left my two students with no answer. It was reformulated so that the word 'language' was not mentioned. In its place, the phrase 'your experience' was added.

APPENDIX 7

Student profiles - questionnaires

Course 1

No.	Country of origin	Institute of origin	Gender	Age	Year of study
1	Italy	R3, FL	F	28	4
2	Italy	R3, FL	M	29	5
3	Italy	R3, FL	M	23	5
4	Spain	Universidad de Zaragoza FL ¹⁹	M	23	5
5	France	University of Poitiers FL	M	23	5
6	Germany	Westfälische-Wilhelms Universität Munster FL	F	25	5
7	Italy	R3, FL	M	28	5
8	Italy	R3, FL	F	23	4
9	Italy	R3, FL	F	23	5
10	Italy	R3, FL	F	23	4
11	Italy	R3, FL	F	22	4
12	China	Nanjing University, FL. Working in an Italian company based in Rome.	M	23	grad. St.
13	Italy	R3, FL	M	27	5
14	Italy	R3, FL	M	25	5
15	Italy	R3, FL	M	23	5
16	Malta	Mndina, University of Malta FL	F	23	6

Course 2

No.	Country of origin	University of origin	Gender	Age	Year of study
1	France	Université de Droit de Poitiers FL	F	23	5
2	Italy	R3 ext. student/Single course	M	30	2
3	Italy	R3 FL	F	22	4
4	Spain	Universidad Carlos III de Madrid FL	F	20	4
5	France	Université de Droit de Poitiers	M	24	5
6	Germany	Westfälische Wilhens Universität Munster FL	F	20	3
7	France	Université de Droit de Poitiers FL	F	24	5
8	Germany	Westfälische Wilhens Universität Munster FL	F	21	3
9	Italy	R3 FL	F	21	3
10	Italy	R3 FL	F	22	4
11	Italy	R3 FL	M	24	5
12	Italy	R3 FL	M	23	5
13	Germany	Westfälische Wilhens Universität Munster FL	M	22	3
14	Germany	University of Heidelberg FL	F	22	4

¹⁹ Faculty of Law. With the Gelmini Reform (2010), as of 2013 it has been re-named 'Department of Law.'

Course 3

No.	Country of origin	University of origin	Gender	Age	Year of study
1	Italy	R3 FL	F	22	4
2	France	Université de Droit de Poitiers FL	F	23	4
3	Italy	R3 FL	F	22	3
4	France	Université de Droit de Poitiers FL	F	22	4
5	France	University of Rouen FL	F	22	4
6	Italy	R3 FL	M	22	3
7	Italy	R3 FL	F	21	3
8	France	Université de Droit de Poitiers FL	F	21	4
9	Italy	R3 FL	M	21	3
10	Italy	R3 FL	M	25	5
11	Italy	R3 FL	M	24	5
12	Italy	R3 FL	F	21	3
13	Italy	R3 FL	F	25	4
14	Italy	R3 FL	F	21	3

Course 4

No.	Country of origin	University of origin	Gender	Age	Year of study
1	Italy	R3 FL	F	22	3
2	Belgium	Free University of Belgium FL	M	22	5
3	Belgium	Free University of Belgium FL	M	23	5
4	Italy	R3 FL	F	25	5
5	Italy	R3 FL	M	22	4
6	Italy	R3 FL	F	23	6
7	Italy	R3 FL	F	20	3
8	Italy	R3 FL	M	24	5
9	Italy	R3 FL	M	25	5
10	Italy	R3 FL	M	28	?
11	Italy	R3 FL	F	22	5
12	Italy	R3 FL	M	22	5
13	France	Université de Paris VIII FL	F	24	3
14	Italy	R3 FL	F	22	5
15	Italy	R3 FL	M	21	4
16	Italy	R3 FL	M	22	4
17	Malta	Mndina, University of Malta FL	F	23	6
18	Italy	R3 FL	M	21	4
19	Italy	R3 FL	M	24	5
20	Italy	R3 FL	M	22	5
21	Italy	R3 FL	F	25	5
22	Italy	R3 FL	F	25	5
23	Italy	R3 FL	F	25	grad. St.

APPENDIX 8

Student profiles - interviews

Interviews	Age	Country	Institution	Languages spoken
Student 1	20-25	Italy	R3	2
Student 2	20-25	Italy	R3	2
Student 3	20-25	Italy	R3	2
Student 4	20-25	Belgium	EU Univ	3
Student 5	20-25	Italy	R3	2
Student 6	20-25	Italy	R3	2
Student 7	20-25	France	Poitiers	4
Student 8	20-25	Italy	R3	2
Student 9	20-25	Italy	R3	2
Student 10	20-25	Belgium	EU Univ	5
Student 11	20-25	Spain	EU Univ	3
Student 12	25-30	Italy	R3	2
Student 13	20-25	France	EU Univ	2
Student 14	20-25	France	Poitiers	3
Student 15	20-25	Germany	EU Univ	3
Student 16	20-25	UK	EU Univ	3
Student 17	20-25	Italy	R3	2
Student 18	20-25	France	Poitiers	5
Student 19	20-25	France	Poitiers	3
Student 20	20-25	Malta	EU Univ	4
Student 21	20-25	Germany	EU Univ	6
Student 22	20-25	Germany	EU Univ	3
Student 23	20-25	Italy	R3	2
Student 24	20-25	France	Poitiers	2
Student 25	20-25	Italy	R3	2
Student 26	20-25	Italy	R3	2
Student 27	20-25	Italy	R3	2
Student 28	20-25	Italy	R3	4
Student 29	20-25	Italy	R3	3
Student 30	20-25	Italy	R3	2
Student 31	25-30	Italy	R3	3
Student 32	20-25	Germany	EU Univ	3
Student 33	20-25	Germany	EU Univ	2
Student 34	25-30	China	NA	3

APPENDIX 9

Student interview transcripts (1)

Course 2

Date: 12.11.08

Nationality: Italian

Duration: 30 min.

Transcript

- R²⁰ Can you tell me about your English language background. Where did you study English and for how many years?
- S I studied English at school of course but since I have attended the classical lyceum, my classical lyceum was a very ancient one.
- R Which one?
- S The lyceum in Calabria. And it was old fashioned. We don't study English as I studied privately for 12 years. I sustained a CAE²¹.
- R Which is a certificate...?
- S Of Advanced English.
- R Of Advanced English.
- S And I've attend also the, not PET²², the Trinity ones ((up to)) the tenth level one. Tenth level, that was the last one. So this was my English background.
- R It does increase your English, your background. Indeed I noticed you were one of the ones that communicated in the class.
- S Studying, even in CAE, I am ((able to carry out)) conversations but not specific issues as legal ones. It is more difficult speaking about legal issues even because....((vies for words))
- R It gets technical.
- S technical, yes. Sometimes I don't have the vocabulary.
- R Is the subject matter easy or difficult of you in English, meaning the subject, law?
- S It is a bit different than ..because there are some terms, unusual terms. For example evidence
- R Evidence, an umbrella term.
- S Consideration, which are a different concepts; it's a different approach than Italian specific terms. So I must improve my English in a way I didn't before.
- R The legal lexicon, right?
- S The lexicon. It is completely different. Even the syntax of the judgment we studied is more complex.
- R Yes, which ones are you speaking about? Roper and Simmons or others?

²⁰ R stands for researcher; S stands for student.

²¹ See Supplementary Documents, # 1 - Abbreviations.

²² See Supplementary Documents, # 1 - Abbreviations

S No, there are lots of judgments ((from)) the House of Lords and the Courts of Appeal, and sometimes I find it complicated the syntax. Then when we studied also French cases in English and translated into English it was more difficult because they use whereas, whereas, whereas, whereas...

R All these different adverbs: herein, heretofore...obscure language.

S Yes, obscure language. When I usually read newspapers in English they are more simpler.

R Okay tell me how you feel about participating in this course, your language proficiency, your skills, the general feeling that you have.

S I think that before, after the starting of the course I'm becoming better in English.

R You're improving?

S I'm improving day by day. Because when I study English with frequency something comes out.

R That brings me to the other question. Could you point out any concrete linguistic problems that are particularly difficult?

S Linguistic problems? Sometimes in the written judgments I don't find the ... even the vocabulary ((alludes to dictionaries and the web, when studying)).

R There are phrases in there you don't find (

S)even sometimes some technical terms, but neither legal. There are such materials, the engineer lexicon sometimes, very technical. I don't understand nothing about this terms.

R What do you do in that case. What strategies do you adopt in order to get through with the readings, maybe try to complete the materials.

S I usually try to complete the material.

R To get an overall picture, or ... ?

S To understand all the terms. But sometimes when I don't find it [laughs]. I write on the notes, all the notes about the terms, then I memorize.

R That helps you prepare. Do you use a dictionary?

S Yes, I do.

R Is speaking out in class, for example, when giving an opinion, or making a comment difficult for you?

S No! no!

R I've seen you, I don't think so, but...it doesn't seem like it's difficult for you. Is it the same in Italian?

S No, in Italian I am ((laughs)) I know Italian better than English.

R So in Italian you're expressive, you tend to participate in class?

S Yes. but in Italian I can use a language, a different language a very rich language.

R More sophisticated language?

S Sophisticated, ahem, I can use also Latin constructions, ancient constructions because, ahem, English is a foreign language for me.

R ((synthesizes)) so it limits you in your expression?

S I must be more essential.

R How do you feel about organizing written work for the next day in English?

S Written work? I think I'm better writing than speaking, yes.

R So you feel confident about the writing part?

S Yes.

- R What strategies do you adopt when you're organizing all the materials, cases all in English. Maybe you haven't read some of the stuff but you have read some others.
- S Same as in Italian. The first time, underline, and focusing on the main aspects, the main issues, then creating a concept map, and after that organizing these in paragraphs.
- R How about when You are the protagonist, let's say, when you have to prepare and give a presentation for others in class.
- S I do the same thing.
- R And you don't feel self-conscious or worried about the language? At that moment, When you're standing or sitting there ((in front)).
- S Yes of course, but not so much.
- R Is SLR3 what you expected before you started? Or is it different from what you expected?
- S no, no, no. It is what I expected, what I thought.
- R Did you expect that studying in English would be like it is?
- S I attended [teacher course 1] course, [name of course]. I know the professor very precise.
- R You did expect it to be in English this time, right?
- S Yes because I chose it.
- R And how have you matched that? Did you expect that studying in English would be like it is?
- S Ahem, Last year I attended European judicial system and it was easier
- R More Italian spoken?
- S No because we studied European Court of Justice judgments and they are easier, its more simpler, because the language is simpler and the judges are not English.
- R Good point. It's a good point, and indeed it is easier. And you can always get the translations on many documents in Italian if you have a doubt about a word, or about a sentence.
- S Yeah. When I read House of Lords and so on it is difficult to find in Italian. but if we are talking about European Court of Justice we can find it on Internet. But not a lot because usually in Italy it is not, it is difficult to find translations sometimes.
- R Do you read web sites in English?
- S Yes, in English. Right. I only can read French; not speak. Once I did. Now I cannot.
- R Do you think you'll be able to use English in your future when you become a professional.
- S I think yes. I'd like to be a diplomat.
- R Can you make any other comments about the language? difficulties? The language and the legal intersection?
- S Only terms.
- R Terminology?
- S Terminology.
- R Phrase construction, terminology?
- S Construction but the most difficult thing is terminology. I think even for foreign students, when they're approaching Italian, law it could be difficult. Behind terminology there are also different concepts. It is useful because in this way you could understand different way of thinking, of approaching issues, legal issues, to /purshue/ ((pursue)) some achievements and so on.

- R And the last question is: Has this course been stimulating for you personally?
Has the experience been different in terms of personal growth?
- S (..) I, Sure!
- R Well you said you felt more confident with the language. You felt you were
progressing with the language, that you were more confident now.
- S Yes, I am progressing. It is when a person practice English more and more it's
normal that you ((feel more confident)).
- R ((shares experiences learning Italian at NYU²³))
- S English is a German language. Italian is a Latin one. So there are differences
between them, enormous differences.
- R Even in the constructions, in the way of thinking as well.
Okay, the interview is over. I thank you very much.
- S Goodbye.

²³ New York University.

APPENDIX 9

Student interview transcripts (2)

Course 4

Date: 26.11.08

Nationality: Belgian

Duration: 35 min.

Transcript

- R²⁴ Can you tell me about your English language background? Where did you study English and for how many years?
- S I have studied four years ((the student got mixed up here. He thought I was asking about German; he later corrected himself by stating that the English lessons lasted 6 years; the German lessons 4)).
- R At high school?
- S Ah, between 12 to 18. For four years it was German.
- R So you studied ((English)) for 6 years?
- S Yes, but it was not that efficient.
- R Are French systems different? Because for instance I interviewed two French students from another course and in their systems they studied 7 years.
- S Because the high school in France is maybe is 7 years. Mine was six.
- R One of them is from Normandie, and the other from Borgogne, no Bordeaux. They both said 7 years so I thought the French system is 7 years.
- S Maybe but it is like in Italy there is seven years.
((comments about the two systems))
- R But they don't do too much English ((here in Italy)).
- S They have bias. In the school where I was there were two languages to learn. Six years for the first and four years for the second.
- R So you studied German ((also))?
- S German, yes.
- R You say that the English you learnt wasn't that good.
- S No, it was not so good because just some courses and for four hours per week, so it is not a lot, and the fact is that I worked for four years in the university and I didn't practice a lot. And I forgot.
- R Did you study in high school? I'm curious about this for research purposes as well ((give a few reasons)). I was wondering if (.) I'll ask you that later. How is your experience so far studying law in a foreign country in a second language?
- S In a foreign country or in a second language?
- R In a foreign country and in a second language. Both.
- S Well there is something I don't understand. What do you want to know?
- R I'm just curious about your experience studying law here.
- S I have just one experience of studying law and it is very good. I follow four courses; the courses of the European Judicial System; courses of religious institutions; Ecclesiastic Law; and the technology about Technological Law and Computer - IT law.
- R So you're interested in ecclesiastical law?
- S No, the fact is that I am just here for six months because it is my last year in Belgium.

²⁴ R stands for researcher; S stands for student.

- R Ah, you're from Belgium. That's why ((something didn't quite fit)).
- S I am Belgian and I speak French. And it is my last year so I can stay only six months. And I've got to go back home in February. I study in Brussels but I live in a village which is called Bellaire, near Liege, in the lower part ((of the country)) and so it is my first experience to go and to study law and to study all the different things in general.
- R So you're taking four courses. Are you getting credits for the four courses?
- S Yes. And I also made a course in Italian in September, I speak better Italian.
- R At the language institute here, the CLA²⁵.
- S quello ((yes, that one))
- R Oh, my God. You speak Italian well.
- S ((with a perfect Italian accent)) Io parlo meglio l'italiano che l'inglese
- R Ah, but we're focusing in English.
- S I try, it's very difficult. After three months here in Italy it is not so easy to remember English. To speak in English.
- R The language seems to interfere, right?
- S The fact is that I have been concentrating only on Italian. I have been focusing on Italian for three months so I have not been speaking English. We didn't want to speak with all the people, with all the /for'eyners/ foreigners, because we wanted to learn Italian. And we didn't want to speak English.
- R But you are doing an English course. So there must be a reason.
- S The first reason for the English course is that I am from Belgium and I study law. Just the course that I can follow here which is very interesting because law is different in every state and only course that I can follow here which is interesting for my labor in Belgium is European law.
- R It is so interesting that I'm interviewing a person from Belgium. Many of my students would love to go to Belgium and work. In the Commission, the Council, the Court of Justice.
- S In fact I was *stupito*.
- R Amazed!
- S Yes, amazed that there were people that would like to come in Belgium.
- R Oh, yes, lots of people would like to go there, to work there, in the European Union.
- S But with all the problems that there are in Belgium!
- R I know, but still. How difficult is it reading cases in English? What strategies do you use to learn and remember the cases?
- S I read in French to be sure to understand everything. And then I make a kind of summary with all the points in French and then I read in English. So I, in this way I can be sure that I understood the case, in French, because it is my mother tongue, and it is easier, and read it in English.
- R The text in English?
- S Yeah,
- R You do prepare well then. It's a good strategy?
- S I think it is better for me because if I read only in English I am sure I will miss some steps which are said in the sentences, and judgments. So it's better for me to do this.
- R That's very interesting. This is the first time I hear this. Are you able to discuss the cases in a reasonable way in class? Can you give me an example?

²⁵ Centro Linguistico d'Ateneo. See Chapter 2, §5.2.

- S In a reasonable way ((repeats; hasn't understood the question))
- R Meaning, it goes fluently. There aren't any major problems?
- S No. I'm not so fluent in English. I wrote this in the e-mail I sent to you. So, if the question is clear and they give me time to answer, then I can do it because law I studied so I understand the principles, I can talk about it, but I need a little bit of time because it is not my language. So I do not speak a lot in class.
- R Today you did, though. Today you spoke.
- S Yeah, but it's something strange. Everybody have to say something so on Monday we say "you do this part" ((indicates)) and "you do this part" and ((indicates)) "you do this part. It is something strange because I don't think it was so efficient to learn to study a case.
- R Okay. How would, and this is a question that is off the interview list of questions, but how would you, how would you envision preparing a case in a more efficient way?
- S In class, we're talking about?
- R In class?
- S In Belgium we have a different system, which is I think very efficient. In fact we are about 15 in class. So this is called practical work. And we also have the courses cattedrà ((chair)).
- R So you have the regular courses and then you have the practical courses?
- S Yeah. And the practical courses, so we are about 15, and we have a lot of cases to prepare, and the fact is that the professor, the teacher don't say: "Ah, tell me about that." He talks to everyone. Everyone has to prepare the case and then he says, "You talk to me about this. Explain to me all the case, all the principles," then we talk about the principle, the case, the things very important about the case and judgment.
- We talk about it together with all the students and the teacher. So it is very efficient because we can make four, five cases in the two hours and just focus on the very important things in the judgment.
- The way we work here, I don't know if it's very, the way that the professor wants to follow, but we talk about the principles which is important but we also talk so much about the facts. And so many things that are not so important to the case. We can, we can, yes, to explain the case and we talk about this for two minutes and that's all. So we focus also on this part of the judgment. So we can do this in one hour and a half. And the fact is also that we are 30.
- R Thirty? Too many.
- S The fact is that we are too many. And we don't go too deep in the principles. I think it will be better if the class were smaller.
- R Hum. Good point. A very good point. Concretely, how could you use the knowledge you have acquired studying the cases in the course?
- S In the course? The knowledge I have acquired in the course is to use it out of the course or just, ah, the fact is that there is some judgments that I've already studied in Belgium so for all these judgments it is just repeating. But it's a good way to keep memory of case law and for the others I can maybe use it later in a case. I can use the [Course 4] case, it's efficient. And also the fact that we have seen a lot of judgments and I think we don't, we wouldn't talk of them in Belgium because there is Italian law and Belgium law and European law. So I don't think we would talk of it in Belgium so it's all the cases and have knowledge of this. New cases.
- R How about other aspects of law, for example, contract law.

S Contract law is my area.

R It is?

S Yeah. But not in English. But it is the thing that I very like. I study a lot. Contract and tort. It is the thing that I am interested in. The fact is that in English I never learned legal terminology so it's quite difficult for me to read and to explain in English these things. Only when I learned these word, the translation in English of this word that I can speak a little bit. I think that I could do that in all the areas. So I don't know what you want to find out.

R You've pretty much answered the question. Have your English skills improved? Can you illustrate with concrete examples.

S If I speak better English with just the few words that I have learned. The fact is that I read first in French then in English I learn new words and legal terminology.

R And summarizing, for instance, have your written summaries?

S No, I summarize in French, as I said to you, just ((now)) but when we have to, when I have to present, explain this part of a judgment I have to write in English.

R How close is the experience, or how far is the experience you're having in the course with what you expected before coming?

S With what?

R Yes. Your expectations. You expected something and then, how close or far is your experience from that.

S Just the fact that we don't study so much cases and the fact is also that in Belgium it's this way. When we have to read five cases, very difficult cases, as students, even if it's our language, it is clearly easier, but it's also difficult language. We have to every week for one course and every week for another course. So we have so much to do that we have to work a lot.

R Day and night

S Yeah.

R In the library and so on?

S We work more in this way because we have, in fact I think, but also I'm Erasmus student, so it's normal that I don't' have so much work to do but because there is the language, it's quite difficult. Normally it is *abbastanza*.

R Enough (supplied translation)).

S In Belgium we have too much work so it is quite impossible to do everything we have to do. Here we have not so many things to do so we make it, but we work more for the language.

R I'm getting the impression that you come from a good university?

S In my university it's quite difficult.

R What university is it?

S The Université Libre di Bruxelles, the Free University of Brussels.

R It has high standards.

S I think it is quite difficult university and the fact that in Belgium studying law is difficult. Maybe you know that in our State it's very difficult the organization of the states. It is one of the (([trouble finding the words to express the idea))

R Of the difficulties you have.

S Yes. The faculties of law in Belgium are recognized as very good faculties.

R So, you're being challenged already by being there, yeah? Do you see ways in which studying in English helps you as a person?

S To be a per...?

- R No ((not to be a person but)) as a person. By this I mean, does it benefit you as a person? Studying in English. Remember when I gave out the questionnaire? You did the questionnaire. Personal growth. It's an area that I'm interested in.
- S Yes, the fact that studying in English gives me the impression to be a citizen of the world. To talk with all the people; all the languages; to see that there is so many bridges between the languages. That a Dutch can understand a German. That a Spanish can understand an Italian. That gives me an impression to be a citizen of the world. Not just studying English but the fact is that we have to recognize English very important. So, I'm interesting in studying this language. In fact year, when I finish I will do an LLM.
- R In England?
- J No in England because I have not the TOEFL²⁶. So it will be impossible and I have no much time to study this year. so I make in Belgium, but it's both English and French.
- R LLM in your university?
- S No
- R In another institution. Private?
- S No. There are not private universities. There is private and public but it is not the same meaning as it is here in Italy. Private universities are open to everybody and the cost for the students is the same. Poli University, I'm talking about. There is a school that is different but with the same costs.
- R Do you feel you are engaged with this course, that is, involved with your learning and the learning of others? In what ways are you engaged?
- S Not so much. Not so much. But it's not...the fact that we are Erasmus students we have not so many work. It's good for me. I don't say I want to work a lot because I'm also working for my university in Belgium because I have to make a *tesi*?
- R A thesis.
- S Yes. So I'm already begin to read some articles. The fact that I have time for making my thesis in Belgium. With is amount of work is enough. The fact that we have four courses just three days, we are not so involved.
- R And engaged. Are you able to engage in the subject?
- S Subject yes. I am interested in what I learn here so I read and I prepare but the fact that I will not make further research here that what I chose to do.
- R Will you use English professionally in the future?
- S I don't know. I don't know because I don't want to...
- R [somebody pops in] Come on in. take a seat.
- S I don't want to interrupt.
- R Don't worry. Come on in. we're almost done, right? ((directed to the student))
- S Yes. Maybe I will use English. I want to be a lawyer but I don't want to work in the international "studio d'avvocato" ((law firm)).
- R In an international law firm.
- S Because I don't like that work. And so I, of course I will use English but not so much but I can use it this kind of work.
- R Thanks very much
- S Okay, you're welcome.

²⁶ Test of English as a Foreign Language.

APPENDIX 10

Teacher interview transcripts (1)

Course 1

Date: 9.11.09

Time: 35 min.

Transcript

R²⁷ What are you doing this year in Course 1?

T Ah, study of American corporate law and mainly a lot of different corporate cases with an introduction to general company law and to law and economics methods.

R You're also doing English law, yes? There's a comparison made?

T There is a comparison between general European law and company law directives and some cases decided by the Court of Justice and American law cases. And American cases focuses mainly on Delaware law. Sometimes on New York and California law.

R I saw last year you did a lot of Delaware law.

T Yes. And some references also to the revised model Business Corporation Act (UK).

R What differences do you find between last year's class and this year's?

T Well, there are more student this year than last year. And it is the first time we have American students. And, ahem, and ((it's)) the first time we don't have Maltese students, for instance. Because they came to all the other classes ((in past years)). You know there are always quite many Maltese but this year there is none. But it is the first time we have American students.

R Instead ((now)) you're beginning to have American students?

T And I think they are quite motivated. But I must say also in past years they have all been very motivated.

R Have you made any changes to the curriculum? Last year compared to this year?

T No, not significant changes. Some updates to cases, new cases, and some references. I aim to do some references in the second part of the class to the crisis and the legal responses to the financial crisis. Also, I've already talked about the executive compensation and other characteristics of the Obama administration. So, some reference to those aspects of corporate law.

R What effects do you expect this will make for teaching and learning?

T Eh, well, the main impact should be that of the reference to the contemporary crisis. So, things that they read on the papers every day or they should read. I will try to induce them to read ((laughs)), to read the papers more attentively.

R So connecting the...(

T) connecting what they read. Matching what they read in everyday life to the law and the course. To avoid, yes, the separation between the real life dimension and the course.

R What are the things that motivate students the most to engage in class activities and learning?

T Well, ahem, the fact they are interested in the subject, in what we study and especially in American law. So it is one of the very few occasions they have to study foreign law, first of all, to study in a foreign language and to study

²⁷ R stands for researcher; T stands for teacher.

American law which is always a benchmark for the Europeans and especially in corporate law. I think it still is a benchmark, although with, showing many defects, of course. But it shows a great ability to recover from shocks and various disasters. It is now the first time that something so bad happens to the American economics and legal systems.

R Right, but do you find it interesting the way things in a year more or less quickly recover. They take measures, decide them in Congress very quickly.

T Yes, the same happened after Enron. So it's not the first time. It shows a good reaction, ability of the legal system.

R What are the bottlenecks for students to learning in the course? The core subject, the language?

T I think mainly the language. Mainly the language, especially because what I ask them is to read and present cases and in the integral version, not only the cases book versions. Not only some excerpts of the case or the law, I want them to read them entirely. Not only some pieces.

R Very sophisticated language.

T So it's not easy to understand and there are a lot of procedural complications.

R Like what?

T Today we studied class actions. Another example is the summary judgments and what are the requirements for summary judgments. But there are always very technical and procedural details that have to be understood in order that they comprehend the case.

R Do they tell you occasionally what strategies they use for unpacking legal literacies. And understanding, especially when it gets technical. Today the student who presented was quite technical.

T No, they never tell it. I'm not sure why but maybe because they simply don't want to say how many problems they have. Occasionally, someone will ask me if before the presentation if he has understood of the case, but it is quite occasional.

R What solutions or strategies do you think would help students learn more from you as an expert in the field?

T Hum.

R Strategies that you can teach them. That you can model concretely.

T Hum. Well the direct recourse to the sources of law. The statutory law. Always when they have doubt, see a citation, or click on the hypertext and see the actual section, the actual statute ((pronounced /staytute/)), the actual case, exactly and then electronic databases are very interactive. So you can easily find exactly what you're looking for.

R You can actually search for the particular word.

T Exactly so it is possible to have an immediate response to what you're looking for. And then firsthand reading of materials is fundamental. And this is maybe one of the main teaching I can give them: to always read directly what they need.

R Do you think they need to do a lot of translating and use of dictionaries?

T No I don't think so. Actually, when they have, after they clarify some of the basic language then most ((the rest)) so it ((understanding)) is not difficult. Many have a Latin origin so they are not entirely strange for Italians.

R What about the learning of legal skills? Do they need to learn special strategies for example?

- T Well, I'm not sure they need special strategies but of course this is one of the first times they approach directly firsthand legal materials. Case law and statutory law. This is one, probably it is the first time they read it in a different language.
- R What about the language itself, are you able to at the beginning make it clear to them what kind of language they will be using for that ((particular)) case, for the course, for the subject they're studying, like company formation?
- T No. Actually, I don't do that but I don't see any problem under that standpoint. I think that they are able to; well, you know, the knowledge of English ((improved now and better)) than in the past. I don't know if it is universal but our students usually dominate English enough to be able to understand what we're talking about.
- R So you think that those attending have a good level of English?
- T Yes. And they usually have. Sometimes they don't have a good pronunciation. They show very clearly that they are Italians but I don't see any problem with that. They focus on the points.
- R Presentations today were quite good.
- T Yes. They focus on the points
- [...]
- R It seems that this year you have 18 students?
- T Very usually 20-21.
- R Compared to last year the level of English is better.
- T My impression is that it improves year after year. There might be someone who are worse, but there are others who are much better. There are some that are very good English speakers. Almost native speakers.
- R [name of student] for example, he studied in the US.
- T There's another girl. She speaks very good English. And also D...se. Her English is very good.
- R Okay. Thanks very much.
- T You are welcome.

APPENDIX 10

Teacher interview transcripts (2)

Course 2

Duration: 38 min.

Date: 22.12.08

Transcript

R²⁸ How did Studying Law at Roma Tre start?

ST²⁹ Rather curiously, it started with a proposal by a student in the faculty meeting, one of the representatives of the students, who said one day, “But you are so engaged in international activities, why don’t you do some classes in English?” And so I said that it was a very good idea and then from that idea I put together some funds I found at a foundation which was willing to fund us at least for the start-up of the initiative, the N...tti foundation, and the first thing was to find if I myself was available, to find some other colleagues, and I discussed it a little bit and found a certain amount of colleagues who were interested in doing this. C3 teacher, teacher of I...L, and C3 nominal teacher, and C4 teacher, who are willing to do, engage in doing classes in English and so we started very simply, just I myself just with my class, with my ordinary class in C...L, I just put it into English. So and to start with, very unformalistic, what we tried to do was also to get a few foreign colleagues involved, having them come as visiting professors, which we thought was a good occasion for the students.

We didn’t know how many students would turn up, because we had no idea of, I mean, how many students would be interested, so it was somehow taking our chances but then the first year the average class had about between 20 and 25 students, so it seemed to us a good number for a class, and what was a positive effect is that a certain amount, a good amount of them were Erasmus students which maybe is not exactly what Erasmus is meant for because when you go in a foreign country, you learn the language and the law, at least for Erasmus law students. But they should really not study in English but be studying in Italian, the Italian law, but having a mixed class, multi-lingual class, made this much more interesting and even more complex because when you have a mono-linguistic class, all the students have the same Italian, the native language, but they also have basically the same knowledge of legal system done in the same classes.

R What about teaching in English?

ST When you have a multi-linguistic class, you have students from different parts of Europe and sometimes outside Europe which have very different backgrounds and this means teaching, which is what generally happens when you go in England or the US, you find all these mixed classes from various jurisdictions and this was, obviously, this creates a further element of complexity which is to find a common language for everybody because you don’t expect them all to have the same characteristics or the same background, they may not have studied the same subject, they surely have not

²⁸ R stands for researcher; ST stands for Senior Teacher.

²⁹ ST= Senior Teacher.

studied in the same way, so this makes it much more challenging, because you are doing, not only teaching law in English to Italian students, you are teaching law to a very, to an international class and having an international class, means having international standards and having rarely use of Italian, but English as a *lingua franca*, it's only there, it's nothing else but a language which all the students can understand, and all expecting to use it. So this comes with other aspects of this class, which was only there for giving and empowering students in English language skills which is one of the difficult points in an Italian university education in the sense that Italian university works pretty well according to European standards at least for the higher level, but the problem is Italian students come out without any language skills and therefore, the purpose was getting them to learn English language skills. But the second point, and I think this is pretty interesting, is the fact that these students have not only, are not only learning English language skills but they are using English among themselves as the vehicle for communicating in dealing with various aspects, various problems. And this is what will happen, there, when they are at university and they go in a working environment where English will be inevitably the language of the community so I think this is the second positive aspect, using English from this point of view, not only to learn law in English but to use English to communicate when it can be obviously law, but it can be anything else. This is why I think after four years we can say that the program has a certain success.

R Was it difficult initially to convince the faculty or were there many changes, policy changes to be made, in order to get approval?

ST No, because it was not, the classes, the courses, were electives, and so nobody really had anything to say if we had taught them in English rather than another language. Obviously if they had been compulsive exams then it would create a problem because it would've prevented a certain amount of students from taking these exams or would've forced us to do the same course once in English and once in Italian, which makes no sense. But with electives, it's very simple and so there was no, the faculty was very supportive but as a matter of fact, I mean we started off with five and now we are at least seven or eight, eight now, classes because there is one law and humanities, further more class in public economics and regulation, and then there is a seminar which hopefully will turn into a course which is an internal market policies of the European Union.

So on the whole, the faculty itself has been very supportive of this initiative and has seen it as an excellent way of also representing the faculty outside, in the governing board of the university so I think it was a, as a matter of fact, I mean Roma Tre and the law faculties are pretty open and open-minded. I mean the only difficulty we found, but it was more of a legal hitch was the idea that if students could present the final dissertation in English, and we found that this was not possible but apart from that, there have been a lot of imitations ((others doing similar course in R3 and other universities) because not only the classes in English passed from five to eight but the class in French which is French C...L, plus there will be next year also something in Spanish, and also there is a class in legal German, so it's not only in English it's also other languages which are not spoken as much as English but it means that we are careful also to build other language skills and other important exchange programs with other countries. I mean, Germany is today the most spoken first language in Europe, and French is not only ((spoken in)) France, but means an enormous amount [of other

places]. French in Africa for example, as Spanish is the second European language as well so, I think, and once students ((shifts to another topic)).

What's going on with the languages, our Erasmus students are students which have at least three languages because they have their own native language, and then they have Italian because they come over to Italy, plus English. So we are talking about their third language, and this is very important when you are part of the European community when you always have to know two languages beyond your own MT; but having students which come out of university who manage to use, from a professional point of view, that have legal language skills in two languages more than one's own, I think it's very good for them and gives them a path that will last when they are looking for a job and to put in their curriculum, I think it's very useful for them. Once you've learnt a couple of languages, other languages come along just as easily, much more easily. So I think we should always think of, obviously we have a MT, we have English as a *lingua franca* we can easily imagine a third language which is somehow related to a particular interest towards a certain culture, towards certain areas of the world, I mean obviously you would have Italian, English, and then why not Chinese students? So I think this gives the whole, I think what is important, it gives the idea of a faculty which open to the outside and English is not only, obviously it's not only the US or England. English is the rest of the world and it opens the students' minds towards the rest of the world.

R So it's a cultural, educational and communicative kind of opportunity given...?

ST Yes, and for their career and it's also the fact that when you have classes in English you can invite everybody because everybody, I mean any distinguished colleague will know pretty much English so you can invite from Sweden, from Poland or from China or Japan, I mean you can invite colleagues who come from very distant parts of the world to lecture to students, we are talking about graduate students not post-graduate, so it's good because, it's good for international relations. Even law there is a wide spread, a world-wide community, and this world-wide community generally uses English in international conferences and so on. So it's for the students, it's for ourselves, it makes classes more interesting, and at least for what is my concern, the people work with me, is they are learning how to teach in English. And they start now. I mean, I started really late teaching in English, and they can start now which gives them obviously an advantage for the future. It gives them the idea they are working here, while they might be anywhere else in the world, it gives them almost an opportunity to go around to choose where they want to work, maybe they prefer to work but anyhow, will be an advantage to comparison with other young junior scholars who can only lecture in Italian.

R It's been three years now. What have been the changes from the first year to the second, things that have been added or taken away, and from the second to the third?

ST I think that obviously we are trying to have more of a rigorous schedule, to have them more standardized, and having them less left to the initiative of each professor having to coordinate it. As a matter of fact, now from 2009, we hope to have a website in Italian devoted to the program. The website will be the way of, as if it were some kind of program. Now it's five, it's seven, eight classes, joined somehow, it's a sum of eight classes. What we are going to try and do is get this in as a program, as if it were a program, which requires much more coordination. Also one must avoid carefully overlapping of programs and seeing if so and so's topic is done in one class it's not

taught in the other. We say we've passed from a very, shall we say, amateurish approach, and voluntary left to one's good will, and now we are trying to pass over to a much more organized structure in which this might become a specific program in which students not only Erasmus students but lots of students from abroad enroll and do a two year degree program. Obviously this requires a certain amount of tailoring. We are trying to have American Bar Association creditations so students from the US can come along and spend the semester in Rome. We are trying to get dual degree programs so it's, around this program we are moving much more than simply, giving an opportunity to our students, we are thinking it can become a good initiative for Roma Tre because in general there is nothing similar in Italy at the graduate level. And I think this is good for the ranking of the Roma Tre faculty, its reputation, and the colleagues, all colleagues involved feel that they are doing something that is different and makes them much more distinguished within the Italian academic community.

R That is interesting. Can you tell me more about that?

ST Well, there is really no official ranking system so this doesn't fall in, but it is word of mouth. One can see when one meets colleagues and say now you've got this program in Rome now, how interesting, it would be nice if we could do that, with us but it's not possible, you are lucky that you manage to do this, so, and this is not only in my field which is C...L where obviously all the professors are very international minded and have all done post-graduates abroad, always teaching abroad, or spending time doing research abroad. Also in other fields where there'd be company or the European community, I see that wherever one goes, one finds widespread recognition. The point is that once we manage in 2009 to have this website, the program will be, have much more visibility.

R And what about this, for instance, accreditation from other universities? How will that have to be done?

ST For the moment, it is in Erasmus so there is no problem with the accreditations so they select these classes from wherever they come, whether it's Finland or Portugal, they just choose and it's up to the outgoing university who decides that that class is good for them. The problem is with universities outside the European Union. That would be important if we have a certain amount of American universities, also because it's, I mean, I've studied in the States so I know how it works. Obviously it's very professional, it's not only professional it's professionally minded. Students in the American law schools, they work an enormous amount but they have a rather narrow view of the world.

I would think one of the great advantages of European continental, European systems is the fact that there is a wide, much broader and systematic approach to all the issues so I think one should find and get the best of both systems. The fact that in the states you have a very hands-on approach and you know how to solve problems but in Europe you have the system. And when you have the system, and as the legal system hasn't changed much in the last 2,000 years, it is rather unlikely that something comes up that you don't know ((how)) to put it in the system, if you have the system. If you don't have the system, everything seems incredibly new and you bungle things and you put them in the wrong place. If you have a system, generally you put them, if you have been taught by the system how the system is built, it has been built not now, it has been built over the centuries; it's good for a lawyer.

Lawyers are practical, lawyers have to solve problems, they have to know where to put things if they don't want to leave a great mess they just put them in a contract. A contract is a contract, and property is property and torts is torts, I mean from my view, which is private law, you must put things in the right place, you mustn't mix it up as if it were fruit salad, everything mixed up. Just must put them in the right place. Once you put them in the right place, you get also the solutions, you find solutions that have already been experimented in the past and so on, and so I think this is, having American students, it brings their expertise in a very practical approach, but at the same time, gives them, and so having them in the class, makes them give their contribution to the rest of the students, but at the same time, we can give them some ideas of how a system is built. And obviously if you go to England, you would not have that kind of, with the language abilities, you would not have that systematic approach.

APPENDIX 11
Student proficiency groups

Interviewee proficiency level profiles.

Levels	Ss	Institution	Nationality	School education	Supplementary education
Group 1 – NS/ bilingual/ advanced plus	S1	EU Univ .	UK	NS.	
	S2	EU Univ.	Maltese	Bilingual English-Maltese.	
	S3	Roma Tre	Italian	Elementary (6), Int'l EMI high school (6 yrs.). ³⁰	
	S4	EU Univ.	German	Gymnasium ³¹ (5 yrs.). 12 th grade extra English. University.	San Francisco, USA: internship in prosecutor's law firm (1 month).
	S5	EU Univ.	German	High school (7 th grade). Sheffield boarding school in 11 th grade (1 yr.).	In 7 th grade: extended stay with sister (USA). Internship Nottingham University (1 month). Heidelberg University UN international mediation team member (New York; 1 week plus 6-month preparation).

³⁰ International schools in Rome are 12-year programmes, divided into elementary education (6 years) and high school education (6 years).

³¹ Gymnasium is the equivalent of high school in the US/UK, Lycée in France, Liceo in Spain and Italy. In Italy, primary, middle and secondary education consists in a 13-year programme, divided into elementary (5 years), middle school (3 years), liceo (5 years).

Levels	Ss	Institution	Nationality	School education	Supplementary education
Group 2 - Advanced	S6	Roma Tre	Italian	High school (from 4 th grade; total 10 years).	Courses abroad: UK College (class), London (1 time), Dublin (twice), USA (twice). International Business Transactions course, Germany. Private lessons. University: 1 course.
	S7	Roma Tre	Italian	High school (5 yrs.).	Frequent visits to the UK. London: course and family live-in (1 month; age 17). University (1 course).
	S8	Roma Tre	Italian	Int'l EMI high school (6 years). Italian high school (5 yrs.).	Erasmus: Spain (Spanish: L3-learner; English L2 user). UN Jessup team member (New York, 1 week plus 6 months preparation). Spent 1 month in UN colleague's home Guatemala; L2 user). University (1 course).
	S9	Roma Tre	Italian	Elementary (6 yrs.). Middle- high school (6 yrs.).	Two fortnight visits to Ireland and one to Malta. Three-week legal English in language school: Bournemouth, UK. University (1 course).
	S10	Roma Tre	Italian	Middle, high school (6 yrs.).	Summer work camps from 2004-2008. University (1 course).
	S11	Roma Tre	Italian	Int'l EMI elementary (5 yrs.); Italian high school (3 yrs.).	University (1 course). Working in Roman international law firm.
	S12	Roma Tre	Italian	High school (3 yrs.).	From elementary, summer courses in England and Ireland (8 yrs.). University (1 course).
	S13	EU Univ.	German	Elementary (5 yrs.). Middle (3 yrs.).	University: 1 English law course; 1 EMI course in African law. Two school exchanges in UK and USA.
	S14	EU Univ.	German	Gymnasium (6 yrs.).	Welsh boarding school (1 year) in 11 th grade.
	S15	Roma Tre	Italian	High school (3 yrs.).	American University of Rome law courses. University (1 course). Participated in several mock trial competitions at R3. Selected as candidate for the Nova-Northwestern University (Florida, USA) law school, dual-degree programme.
	S16	EU Univ.	German	Middle-high school (4 yrs.); 11 th -12 th grade (2 yrs.) advanced English prog.	

Levels	Ss	Institution	Nationality	School education	Supplementary education
Group 3- Inter- mediate plus	S17	Roma Tre	Italian	High school (3 yrs.).	Private lessons from 10-years old (8 yrs.). Summers in UK (15 times) as water-polo player. Socialization in EMI. University (1 course).
	S18	Roma Tre	Italian	High school (3 yrs.).	Study abroad in three colleges, two in UK, one in Malta (Malta University Language School (6 months). Socialization in EMI. University (1 course).
	S19	Roma Tre	Italian	Middle (3 yrs.).	Private lessons (12 years) during school. Obtains CAE. University (1 course).
	S20	Roma Tre	Italian	Middle (3 yrs.). High school (6 yrs.).	Summers in Ireland (4 times). Lived with Irish family; English courses mornings; sports with NSs afternoons. University (1 course).
	S21	Roma Tre	Italian	Middle (3 yrs.). High school (3 yrs.).	English course in Irish school (1 time/1 month). Summers abroad USA (2 months) living with American family; worked as assistant for American prosecutor. University (1 course)
	S22	Roma Tre	Italian	Elementary (5 yrs.). Middle (3 yrs.).	Linguistic high school (English is main language; extra hours of English). Exchange arrangements (host-hosted) with 2 international students (English used for interacting). University (1 course)
	S23	Shanghai Univ.	Chinese	Middle (3 yrs.). Senior high school (3 yrs.).	CET4 certificate (university entry requirement). TOEFL exam. EMI for communicating at present international law firm and in SLR3.

Levels	Ss	Institution	Nationality	School education	Supplementary education
Group 4 – Inter-mediate	S24	EU Univ.	French	<i>Collège</i> English education (3 yrs.). English literature <i>Ecole Superiore</i> (3 yrs.).	University courses (2 yrs.).
	S25	EU Univ.	Spanish	Elementary (1 yr.). Middle (3 yrs.). High school (6 yrs.).	Private English academy (7 yrs.).
	S26	EU Univ.	French	Middle (3 yrs.). High school (3 yrs.).	Wales with father (1 month). University legal English (1 course).
	S27	Roma Tre	Italian	Middle (3 yrs.). High school (5 yrs.).	PET and First Certificate tests.

Levels	Ss	Institution	Nationality	School education	Supplementary education
Group 5 – Low Inter-mediate	S28	Roma Tre	Italian	High school (3 yrs.).	
	S29	EU Univ.	French	High school (6 yrs.).	England on holidays (2 times).
	S30	EU Univ.	French	Elementary (4 yrs.). High school (6 yrs.).	Also Spanish (university). No English (university).
	S31	EU Univ.	French	Elementary (4 yrs.). High school (6 yrs.).	Also German in high school.
	S32	EU Univ.	French	Elementary (4 yrs.). High school (6 yrs.).	
	S33	EU Univ.	Belgium	High school (6 yrs.).	
	S34	EU Univ.	Belgium	High school (4 yrs.).	Maintains his English watching movies.

APPENDIX 12

Main study teacher interview questions

The initial basic script for teacher interviews was:

- 1) What are the perceived bottlenecks (difficulties) for students in studying and learning in your course?
- 2) Is the “language factor” a problem for students?
- 3) Is the “language factor” an issue for you?
- 4) Have you noticed strong differences in level of linguistic competence compared to last year?
- 5) In general, what differences have you noticed between last year’s class and this one?
- 6) Based on the above data, have you made any changes to the curriculum this year?
- 7) Have you been able to assess the impact of the changes made?
- 8) What has been the perceived impact on student learning?
- 9) What impact have the new changes had on student motivation?
- 10) In relation to motivation, what do you perceive are the teaching domains that most affect positive student learning?
- 11) What sort of modeling would you introduce in your teaching this year or next to aid students in learning about law subjects in your course?
- 12) What solutions/strategies do you think would help students learn better from you as expert taking into consideration the “language factor”?

APPENDIX 13

Observation notes (1)

Course 1/observation 1

Date: 11.11.08

Length of observation (120 min.)

Topic of lesson: Corporate liability and corporate organization

Observation notes:

1. Legal English

Uses of legal terms/general purpose language

- Piercing the corporate veil
- Rebus sic stantibus
- Par value
- Limited liability
- Piercing the corporate veil

The teacher defines legal terms in a way that students (and this observer) can “picture” the meanings, gives an example(s), often in reference to a case, to help students distinguish between the term and its near-synonyms (page 138/July version thesis).

Dialogic interaction

Question-answer as the lesson unfolds. It is an interesting method. An example:

Teacher: Well, a corporation, what is a corporation? Why is it useful? [...]. So it is a way to finance business. That's all. Let's see if it works or if it is simply theoretical answer with not actual basis. Let's see [...] what constituencies exists in corporate law. What are the constituencies relevant as to corporate law. Who are the first...who are the players in the corporate stage. Who are the players, okay?

(.)

S: Shareholders.

FM: Shareholders. Let's start with the shareholders, the owners of the corporation. Those who invest money or assets but let's say simply money. Those who invest money and what do they receive as a consideration for the money they invest in the company? [...]
S: Dividends. So other money.

Presentations

Two students presented cases in this first lesson. The cases are part of the lesson. With the cases prepared by the students, the teacher can complete the topics of the lesson.

My comments:

The presentations are well done. Not all have the language skills the German-Italian student has. One presenter from Germany spoke English very well and her presentation was well prepared. The second presenter's work was very nervous and her presentation was confusing. The language skills were not there.

2. T&L

Lecture

My comments:

The lesson was structured nicely with part of the lesson dedicated to instruction (Course 1 teacher with some participation by students). The second part of the lesson was dedicated to student presentations (they become the instructors, although guided by the Course 1 teacher). The topics being taught seems a bit simple for students in their 4th and 5th year, but maybe I'm wrong. It could be that the lessons need to be rendered simple so that all students can understand and are motivated to engage in discussions in L2.

Subject topic

Corporate liability

Corporate organization

- Case 1: The parent entity was a corporation which owned many taxi companies. Liability of torts from subsidiaries were moved from Subsidiaries to the Parent Corporation. because there are more instruments in the Parent Corporation.
- Case 2: Courts of New York rejected the remedy because the Parent Corporation was an individual.

My comments:

It was well structured and well supported by materials. The first part was dedicated to the lesson on corporate law and comparisons were drawn between US and UK corporations regarding the following issues:

- corporate veil piercing
- shares and how they are dealt with in family businesses
- the Delaware laws on corporations. the reason for their differences with other US states.
- The question of ethics. the fact that companies like Enron where allowed to do anything they wanted and eventually they sank (went bankrupt) making stakeholders sink with them.
- The present situation with Morgan Stanley and AIG. The fact that the pension plans for employees were so difficult to understand because they were based on a complicated mathematical model. Today these mathematical models are no longer accepted.

Lectures, presentations, questions/answers

The lesson was organized as follows:

- 50% of the lesson was dedicated to teaching subject matter
- 30% of the lesson was dedicated to student presentations
- 20 % of the lesson was taken by questions and answers

Feedback

The teacher is very patient and available to any comments made. Students made efforts to answer adequately most of the time. Students were not signaled for responses. It was a voluntary affair. He is very capable at making students feel at ease. He uses a good practical tactic to make students feel at ease even if the answer is not exactly right.

Asking questions

Students asked questions to teachers but less to colleagues. Perhaps they want to protect their fellow colleagues? One very outspoken German student with high level of proficiency. Students were participative. The teaching of content was interspersed with questions by the teacher and responses by the students.

Advocacy and language skills

Students presented their cases. Practiced with explaining the case, giving examples, responding to colleagues' and the teacher's questions. The classroom activity, presentations, is prepared well in advance. Level of proficiency is mixed. Some student were proficient. Other students are scarcely able to communicate. Those who are more proficient tend to take the floor.

Teaching approaches

- Traditional: No
- Learner-centred: No.
- Blend: Yes

My comments:

A special feature about teaching in this course is the use of narrative to explain new topics. In this course, students are told about the "civil law" story versus the "common law" story; the "American" versus "European" corporation story; the "shareholder" versus "bondholder" story; the "poison pill" story; the "piercing the corporate veil" story and the "certificate of incorporation" story. It was important for me to be present when the C1 teacher dealt with the LE terminology. This is traditional teaching but the students are encouraged to participate and

they do. I find it is a good indicator of trust in the teacher and on feeling confident that their intervention is appreciated.

Materials and resources

The class is connected with the library online resources ((teacher mentioned he likes to refer is lectures to the codes and to avoid summaries and casebooks)).

The connection made to the library was: (a) servizio bibliotecario; (b) Lexis Nexis; (c) Legal; (d) Legislation; (e) Statutes; (f) Delaware law; (g) Title, chapter 1, section 102; (h) Subchapter: formation.

My comments:

Students are asked to read cases in the original (non-abridged) versions. Harris (1997) comments that reading is difficult for law students because of the undue number and level of technicality of legal terms contained in case law. For students, reading legal documents is time consuming in L2, particularly when text is non-abridged. In common law, the meaning of “original version of a case” is a case published in an official law journal. This format is different from casebooks. Casebooks contain abridged, thematically organized materials from official case law journal publications (July version thesis).

APPENDIX 13

Observation notes (2)

Course 2/observation 1
Date: 10.11.08
Length of observation (90 min)
Topic of lesson: Immoral and Illegal Contracts

Observation notes:

1. Legal English.

Uses of legal terms/general purpose language

- Invalidity of a contract
- Enforceable / unenforceable
- Fraud
- Duress
- Misrepresentation
- To uphold
- Bounds of permissibility
- contra bonos mores
- lack of judgmental ability
- grave weakness
- pecuniary advantage
-

Lecture

The lesson begins with the senior teacher bringing up the main theme of the lesson. Then he reads the key text which defines the central theme: illegal and immoral contracts.³²

“A contract may be invalid or unenforceable despite the fact that it was made freely and voluntarily by parties who knew what they were doing. If a mafia boss hires a hit-man to kill the police chief, no judge will order the hit-man to perform the contract specifically, or the mafia boss to pay the agreed price even though the parties’ agreement was based on a serious intention to be bound and was not tainted by fraud, duress, misrepresentation or mistake.

³² Beale et.al. (2002: 295-296). Introduction: Validity, Immoral and illegal contracts.

Where a statute expressly prohibits a party from making a contract of a certain description it is clear that no court will uphold it. In most cases, however, the bounds of the permissible are not clearly defined, and it is then for the judge to test the circumstances of the case in order to discover whether, by the current standards of morality and public policy, it should be enforced or not.”

2. T&L

Senior teacher: In relation to this theme, this is what the German Code (BGB) 3.G.1. states in relation to this type of contract:

§ 134: A juridical act which is contrary to a statutory prohibition is void, unless contrary intention appears from the statute.

§ 138:

(1) A juristic act that is *contra bonos mores* is void.³³

(2) A juristic act is also void when a person takes advantage of the distressed situation, inexperience, lack of judgmental ability or grave weakness of will of another to obtain the experience, lack of judgmental ability or grave weakness of will of another to obtain the grant, or promise of pecuniary advantages for himself or a third party which are obviously disproportionate to the performance given in return.

In addition, **Code (BW) 3.NL.2.** states:

Article 3:40:

(1) A juristic act which by its content or necessary implication is contrary to good morals or public order is null.

(2) Violation of an imperative statutory provision entails nullity of the juridical act; if, however, the provision is intended solely for the protection of one of the parties to a multilateral juridical act, the act may only be annulled; in both cases this applies to the extent that the necessary implication of the provision does not produce a different result.

(3) Statutory provisions which do not purport to invalidate juridical acts contrary to them are not affected by the preceding paragraphs.

³³ Contra bonos mores= contrary to good morals.

And, this is what the **French Code Civil 3.F.3**.states:

Article 6: Agreements between individuals may not derogate from laws concerning public order or good morals.

Article 1131: An obligation based on a false or illicit cause is without effect.

Article 1133: Cause is illicit when it is prohibited by law or is contrary to good morals or public order.

[...] The texts of the Civil Codes on contracts which conflict with good morals, public order or legal prescriptions are all couched in very broad terms and need to be fleshed out by reference to court decisions. Writers who try to put the cases into some sort of order invariably add that the categories they adopt are neither exhaustive nor mutually exclusive. Among the contracts potentially invalid as illegal or immoral are bargains harmful to the administration of justice, contracts intended to defraud third parties, agreements inducing a party to breach its contracts with another or to commit an unlawful act, and many others. Here we shall deal only with cases involving agreements adversely affecting basic principles of family life and sexual morality.[...]

Conflicts with principles of sexual morality and family life (Beale et al., 2002: 297).³⁴

The ideas of what is immoral change in the course of time, and behaviour which would have been regarded as utterly repulsive years ago may be tolerated with equanimity, if not eagerly regarded endorsed, by law nowadays. In the Australian case *Andrews v. Parker* [1973] QB R. 93, Stabile J said:

Surely, what is immoral must be judged by the current standards of morality of the community. What was apparently regarded with pious horror when the cases were decided would, I observe, today hardly draw a raised eyebrow [...].

It would seem, for example, that a prostitute's claim for the agreed price would still be regarded as unenforceable in most, if not all, legal systems. Other contracts made by prostitutes for the known purpose of furthering their business will be viewed these days with more tolerance than in the past.

³⁴ Beale et al. (2002: 297-304).

Topic discussion:

Senior teacher mentions the French surrogate case in relation to the question of motherhood and the inalienability of the human body and of personal status. Then he addresses the following question to the students:

Senior teacher: How do you view this issue from the point of view of morality?

Silence. Senior teacher tries again: So, what is your opinion of the attitude of the courts?

Silence.

Senior teacher reformulates and one student responds:

S1 (Spanish student) mentions adoption as the solution to the problem of not having children.

Senior teacher: summarizes and entices debate:

Silence again.

S1 responds giving another idea about the adoption issue.

Senior teacher goes to the board (he hasn't sat down yet) and writes:

COUPLE	SM*	CHILD
--------	-----	-------

*SM = Surrogate Mother

S1 (Italian) speaks about surrogate motherhood and about the fact that it is a better solution than orphanage; he considers orphanage as a worse solution.((Lost some content – note-taking not fast enough)).

Senior teacher summarizes relating motherhood and the consolidation of law in the areas of adoption and parental custody.

PRINCIPLES USED BY COURT: BEST INTEREST OF THE CHILD.

The senior teacher then speaks about the International convention of New York [...] and the fact that it has been ratified by most countries in which decisions need to be made on the subject. Mostly, these decisions about adoption (and related cases) have been resolved at an administrative level.

Another fundamental notion mentioned is:

THE CHILD GOES TO THOSE WHO HAVE PLANNED ITS BIRTH.

BUT THERE IS ALSO THE ISSUE OF GENETICS.

GENETICALLY, THE CHILD IS BOTH THE FATHER'S AND THE MOTHER'S

Senior teacher writes on the board:

$\frac{1}{2}$
father

$\frac{1}{2}$
mother

So, who do we chose as custodian, the father or the mother?

After writing the following on the board

APPROPRIATION ABILITY

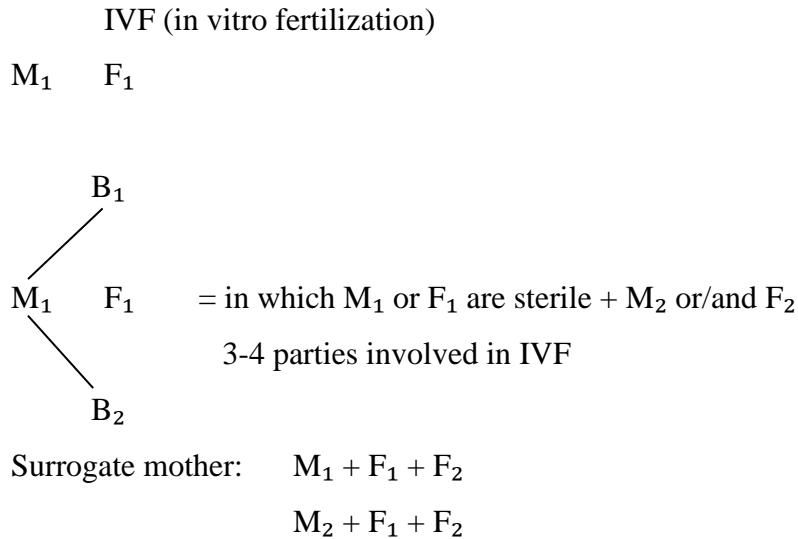
Senior teacher addresses an international student, asking, What is your opinion about this question?

S2 speaks about the issues regarding the relationship, the natural connection to genetics, the fact of reclaiming money as in the German case (being discussed the day before).

Senior teacher continues, stating that a few interesting aspects need to be highlighted regarding the topic of discussion:

- Abuse of adoption procedures → outside of contract law. Public procedure is not done in private law agreements. Private law cannot interfere with public laws about adoption. ((a good, clear summary)). More students enter the class (late arrivals).
- Artificial insemination. We have 6-7 cases to discuss.

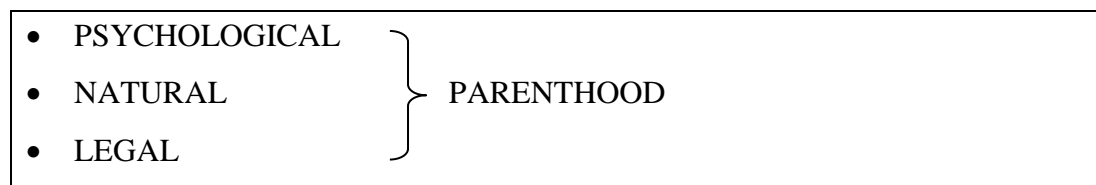
Senior teacher goes to the board and writes the following while explaining:



Senior teacher proceeds to give lots of outside examples ((his English is perfect)).

He asks, So where does the insemination come from? What problems does this raise?

Writes on board:



There are various parties, each of which need to be protected.

Legal issue:

- a) Psychological parenthood ‘can change.’ An issue in all western jurisdictions:
 - Can you dispose of your own body?
 - Do you own your body, that is, DNA, organs, hair, kidney, etc. ?
 - Can you dispose of single parts of your own body?
- b) The difference between Donation and Sale of blood samples, etc.

S3 (international): Can the natural and legal father both support the same child?

Senior teacher: From a legal point of view, you only have 1 father. Spanish and English cases in which a child has 2 mothers (legal jargon: Solomon's cases) have been brought to court regarding lesbian couples. In both cases:
→ the child can turn to the natural mother;
→ the legal mother may ask for permission to see the child.

S4: Cites the case of an American student in Paris who meets an Italian man there. Both are students at an important Parisian university. The American student becomes pregnant, goes back to the US, marries another man, the child is born. The husband is the father. The child finds out that the natural father is different and claims interest in meeting him. Comes to Italy. Father is kind with her and treats her like a daughter. He already has a family and 3 children and is married. Daughter, who now realizes the father is rich, wants to be supported by him. Father denies support on a permanent basis.

S5 (international): Asks a question (did not have time to write it down).

Senior teacher: Answers, stating that regarding Fatherhood he reviews the principles under the legal issue of Parenthood.
Legal systems have a mutually exclusive rule.

Junior teacher: Makes comments and summarizes the laws in the two cases. Asks a question to student, S4.

S4: Responds ((is very fluent)).

Student presentations

Junior teacher calls an Italian and a Chinese student to give their presentations. Both go to the front of the class with handwritten, not typed notes. The cases are:

Case 1 (Italian student): The jazz singer.

Case 2 (Chinese student): The English solus agreement.

Here is a summary of Case 1:

Case 1. Management contract excessive restriction on personal freedom.

A “management contract” under which a young singer places her entire career in her manager’s hands for a period which the manager can extend indefinitely is an excessive restriction on the singer’s personal freedom and contrary to Article 27 of the Swiss Civil Code.

My comments:

I notice that the presenter had difficulty (presentation skills) presenting the case. He looks mainly at his sheets, and rushes through the presentation. It was very difficult for me as observer to follow his line of thought. I did not understand the points the student was trying to make. The positive aspect of this presentation is that the student continued without hesitation till the end; he seemed to know what he was talking about and was able to relate case to law well. The presentation was coherent but in terms of pronunciation it was difficult.

Junior teacher: Can we now look at the next case?

Presenter 2:

Case 2: The English solus agreement.

Exclusive petrol distribution agreement (21 years) in restraint of trade. House of Lords, Esso Petroleum Co. Ltd. v Harper’s Garage Ltd.

A contract between a petrol company and a filling station which binds the latter to selling the company’s fuel for five years is reasonable but one for twenty-one years is void as being in restraint of trade.

My comments:

The presentation was fast paced. The student read through his notes but did not face the audience to make sure students were following. It was difficult to understand because of the student’s incomprehensible Chinese accent.

This student’s pronunciation of the ‘r’ is different. Chinese and Japanese students from my experience teaching students at University of New Jersey, Rutgers have a problem with pronouncing the ‘r’ because they have no /r/ phoneme. What they use is another phoneme which is somewhere in between an ‘r’ and an ‘l’. They have to consciously remember when to

say *remember* instead of *lemember* or *listen* rather than *risen*. This compromises listening comprehension considerably.

Final session. In this session the junior teacher guides students through the main points of the case and helps them draw conclusions from each. For this a Socratic dialogue question-answer format based on the information given by the two students is enacted. The senior teacher makes a few final remarks to conclude the lesson.

Junior teacher: ((directing her attention to the students who have just presented)) asks general questions of the type: How are the issues in these 2 cases similar/different?

Presenter 1 (Italian/case 1) explains similarities and differences in Case 1 compared to Case 2.

Junior teacher: Let's look at the two cases. In these two cases, the courts' take different approaches. Then she directs her question to Presenter 2. Presenter 2 comments on the similarities and differences in his case compared to the case presented by the Italian student. He then comments on the legal issues involved in the two cases.

The session which I call Socratic dialogue ends here.

Instruction

- approx. 40% of the lesson was dedicated to teaching subject matter
- approx. 40% of the lesson was dedicated to student presentations
- approx. 20 % of the lesson was taken by question-answer session with assistant teacher

My comments:

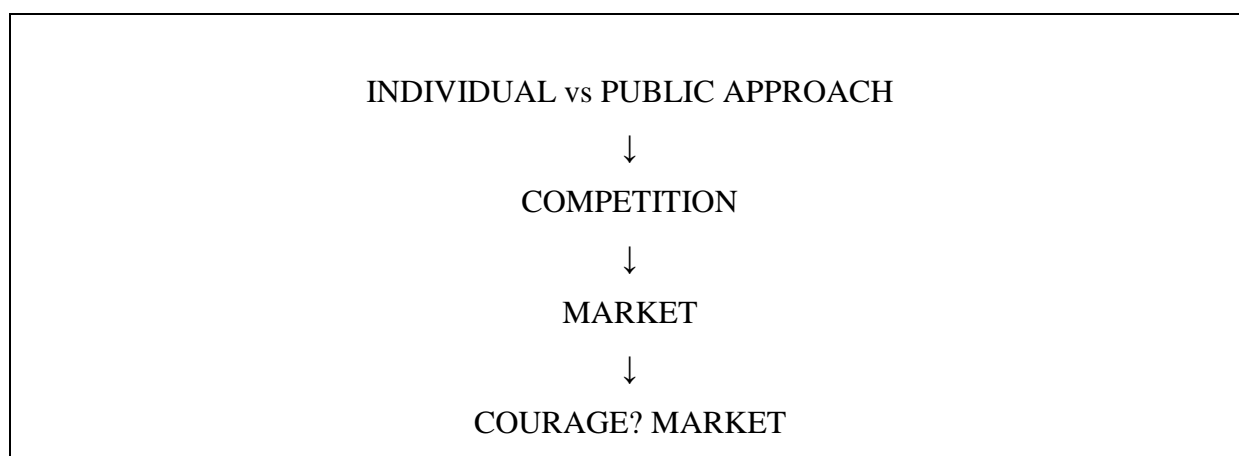
The senior and junior teachers both have specific roles. Senior teacher instructs on the main content of the lesson. The junior teacher's role is to collaboratively (with each presenter) develop higher-order thinking skills in line with the legal tradition of Socratic dialogue. This resonates with CLIL conceptions of the integration of content and language. Content and language integration also brings forth the need for higher order thinking (in addition to remembering, understanding and applying, also analyzing, evaluating and creating (Coyle et

al. 2010a: 31). It is also in line with learning key legal terminology (factual knowledge), conceptual knowledge (relating concepts within the larger structure) and metacognitive knowledge (thinking about the cases; drawing out individual and collective thinking processes) as stated in Coyle et al. (2010a: 31).

Concluding remarks (senior teacher)

Senior teacher: ((Stands and summarizes)) All cases have to do with Freedom of Contract. This is linked to the issue of individual freedom, which comes from natural law.

Teacher writes on the board:



- These cases are more than 20 years old.
- Today, the rules change according to who applies them
- Petrol is one of the motors of competition law in Europe
- Behind petrol and products like beer is not the question of quality of the product but of competition, particularly so with the most important products in Europe

Feedback

Teacher speaks about the topic. Is very thorough in his delivery and does ask questions but the students are less responsive here (in this course and in this part of the lesson). Something needs to be changed so as to make the class more interactive.

Rewards

The system of rewards here is being engaged with the subject matter and answering or contributing. This is particularly so in the question-answer session where the assistant is not only particularly knowledgeable and also very supportive even if the answer is not correct. If the answer is not completely correct, she suggests collaborative for an answer by splitting the answer into parts that are correct and parts that need correcting. In this way the student understands the issue better.

Asking questions

Some students were participative and asked questions. Others remained silent. I am assuming they are either not interested in the question-answer session or in today's topic. If these are not the reasons, then they are simply not understanding the lesson.

2. T&L skills

Lesson preparation

My comments:

Case law presentations are a good way to strategize the work and make it clear enough for communication to others in class. The skill is developed from selecting the topic, researching it, finding key points and examples, developing a presentable presentation. No power-points are used in this course. I am beginning to see differences between how prepared students are for their case presentations. Some seem more improvised. Can interviews confirm this?

Language skills

Presentations are difficult to master. It depends on prior experiences, level of proficiency, CALP skills and whether the student had time or desire to prepare well. Level of proficiency in this course is quite mixed. Some students are proficient. Other students are scarcely able to communicate. Those who are more proficient tend to take the floor.

Teaching approaches

In this course there appears to be a traditional teaching approach with added elements into the design such as interaction, students presentations. For this, the teaching approach is very different from the traditional law school courses taught in the Department in Italian.

Materials and resources

Teaching in this course, because of the prevalence given to presentations, is based on casebooks. Casebooks contain abridged, thematically organized materials from official case law journal publications (July version thesis).

Observation summary:

I made comments and wrote them down as the lesson progressed.

The main issues I noticed were:

- Pronunciation and communication among participants. I noticed timing of speech (slow and broken versus fast paced and fluid), presentation skills (whether students poured over their papers rather than spending time interacting with the class), plenary debates (open class discussions).
- The presenters (Italian and Chinese). I noticed that both were unable to interact with the audience. They were both within inches of their notes. In the case of the Italian student, his notes were so extensive that he kept on shuffling the pages while presenting. The Chinese student had made copies of the case and had notes and he just simply read most of the material. Because the presentation was so long, he shortened it (but without synthesizing it).
- Teaching. It was very interesting. Senior teacher, the professor has an elegant style and with felt pen in hand writes on the board, explains, write some more, explains some more, stops and ask questions, then writes a bit more. It is an affable style but senior teacher is distant, and students are not that cooperative. Most of them keep silent (even when he asks them to contribute). Senior teacher's presentation of the different points was very well made.

- Dialogic interaction/ Socratic dialogue. The junior teacher works closely with senior teacher. She is dynamic and very detailed in her posing of case-related questions. She uses the comparative method to make comparison among cases, legal issues and the way different courts in different countries approach the same or similar situations. The scope of her comparisons makes reference to a number of courts both in Europe and other countries. It is clear that behind the questions there is excellent preparation. Junior teacher is an excellent scholar who takes her work very seriously. Students respond positively to her. Some students are most likely the same age as she is.
- Learning. It appear that students are not that prepared with cases (their silence is an indication). But I need to ask questions to students about this.

Note: After the lesson I was given a few minutes time to explain my research to students. I said that I was doing a research at the University of Edinburgh and that I would really appreciate if some students could come to my office for interview (30 minutes circa). I also mentioned that some students had been randomly selected from a student list. I read the students. They came upfront and we made appointments.

APPENDIX 14

Field notes (I)

Course 1

Date: 10.12.08

Student 9

Nationality: Italian.

1. Comment on student:

This student has a strong charisma. I have not encountered others since data gathering started. A person with a strong character and exceptional leadership qualities.

2. Language background:

Student 9 is a good communicator. His English proficiency level is around C1. He speaks fluently and has a command of technical terms ((this I discovered during course observations)). In the interview we did not speak about specific terminology.

Student 9 studied in three colleges: abroad and in the UK (Wales and England). Then he went to MULS, the UM Language School, which hosts students from around the world. It is a good study abroad programme and convenient for Italians ((from his comments)). Student 9 studied at MULS and stayed at the University Residence. The University Residence is located 4 km from the University Campus and has a free bus service that operates connecting the Residence to the University directly.

3. Experiences:

For one, he is the leader of his group in C4. Because his knowledge of English is very good, he attracts others who let him guide them.

Student 9 considers SLR3 and its objectives a clear break away from the traditional, teacher-centered method which for him is dated and impossible to accept, both pedagogically and in terms of teaching ((more on that in the section on teaching below)).

Summary of Student 9's experience in Course 4.

Types of comparisons	SLR3 or TRADITIONAL METHOD	TRADITIONAL AND OTHER
a) The SLR3 experience compared with a better organized university. The Canadian experience.	Student 9 visited a friend in Canada who was studying at a private Canadian university and was shocked to see and compare the large number of services offered to students there. This was for him a strong contrast compared with Roma Tre services and the notoriously small library.	Roma Tre compared to other universities in Italy "at the end gives you a certain amount of services." Student 9 admitted that the comment was relative. As he said, "if you step out of Italy and go to see a foreign university, even a more tough one, there you get to see how disorganized you ((Roma Tre)) are and how completely messed up is your bureaucratic system and also the way of teaching is absolutely, it's so old style."
b) The SLR3 experience compared with the traditional, scholar-academic method used by all professors at Roma Tre, except for professors in SLR3.	The courses at SLR3 have a history of their own. One example given by Student 9 was his experience in the International law course done by the Dean of the faculty. For him it was "an amazing course." People who take it "get really excited about the matters and the discussion." They are really motivated but as Student 9 says, if you're not focused on the topics it is much harder to keep your interest in the subject matter. At C4 the chance students are given to participate in class was very good. The organization was a socialized one, as Student 9 puts it, guaranteeing maximum fairness (total avoidance of "special" treatment).	In the traditional courses, there is no relationship between the professor and the student. It's a mass teaching method – the one model fits all approach. Classes are large. From 200 to 400 students at a time in class and many more enrolled. This is why there's no chance of having a personal relationship with the professor. You don't get to know him or her, and you get to speak only with your "friends." There is no dialogue, question and answer or open debate during a lessons. For the exam students are expected to read 1,200 pages circa for each exam. If you have 3 exams to take at the end of a given semester it means 3,600. The only way to pass is to memorize everything. This means erasing contents memorized for the exam right after giving it.
c) The traditional scholar- academic experience and the Canadian university experience.	Assessment in the traditional method is based on asking students 3 questions from a total of circa 1.200 pages of materials for each course. Assessment essentially depends on the student's capacity to memorize the material. What the student has done during the semester doesn't count. Professors don't tend to provide services. Student 9 said, "They know they can make <u>the same lessons for years and years</u> and years, <u>explaining you let's say one fifth of the program</u> , and they've done their jobs."	Assessment in Canada is based on work done during the semester (mid-term, final exam, attendance). Classes in Canada are much, much smaller and students can interact quite a bit. The quality is "palpable."

Here is how Student 9 described his experiences at Roma Tre:

- It has been pretty good. We are always speaking about public Italian universities and among those I think that Roma Tre at the end gives you a certain amount of services.

- Of course that's really relative, because if you step out of Italy and go to see a foreign university, even a more tough one, there you get to see how disorganized you are and how completely messed up is your bureaucratic system and also the way of teaching is absolutely, it's so old style.
- But, like apart this course that you know you've been following, like all these courses in English have a history apart. Like last year I followed International Humanitarian Law and that's an amazing course like I suggest you to go there and check it out because people there they get really excited about the matters and the discussion. Of course they are not just merely economical as those ones there, somehow, or you are really focused on the topic or it can be really hard to find some interest in it.
- But like apart from that, we have ((in the traditional classes)) this kind of no relations with professors, huge classes, like a class with 400 persons, or 200 persons, even 200 persons is too much. You have not direct relations with your professor; they can't get to know you. Like our programs are huge, huge. We have like for example something which you have to take and read but are 1,200 pages. And you have like let's suppose three of them for one semester. So at the end you should've read and memorized. This is impossible so you aren't going to remember that for the first time you have to give the exam and after you're gonna forget, erase it, and then start another one. Not learning skills. That you're not focusing in your skills, it's not to make practice. That's impossible. We have one professor for 200 persons and let's speak it clear, most of the professors like eh take an advantage from this situation. So, they know they can make *the same lessons for years and years* and years, *explaining you let's say one fifth of the program*, and they've done their jobs. Or if you have a professor that really tried to give you services. When you find that, you get *excited* and you can build a relation with them, but *as a percentage* like, eh, it's *not a positive situation*. Like I had, at this point ((I would say the)), bad luck of going meeting my girlfriend who is studying in a private university in Canada and that's been like a *punch in the face* for me.

4. Expectations:

He did not mention expectations but he included working in the EU. He found the EU as bureaucratic and disorganized as Italy, so why not go there.

5. Teaching:

Box 1 summarized the teaching experiences mentioned by student 9. He found the SLR3 positive . Teaching was left entirely to the students. They had to organize and work on their analysis and presentation of findings of landmark ECJ judgments. Student 9 had not trouble handling this. This communicative skills are excellent. He did mention he wasn't really getting much new knowledge from the course apart from some legal terms that emerged in the different judgments. He believes that a student needs to be self-taught. There's no impediment for a student to go in Internet and look for the terms he needs for a presentation on his own.

APPENDIX 14

Field notes (2)

Course 3

Date: 19.5.09

Student 1.

Nationality: French

This is a very nice student. She has interesting educational path. She found out during her Erasmus year that Poitiers-Roma Tre offered a dual degree programme with Roma 3. So she decided to transfer from Rouen (home university) to Poitiers and then once there, she signed up for the University of Poitiers dual-degree programme in Italy.

The student is planning to go back to Poitiers, and study for her law exam in France (to obtain her dissertation) while finishing some of the courses, all in only six months. She seems capable of studying, working and socializing, i.e., doing it all at the same time.

She is a shy person. Something interesting about this contact was her whole approach to studying law. It is not so different from what she did in France. In France, in University of Poitiers, she considers the method of study similar to the one applied in USA law school course. So for her it was a nice break to study here at SLR3, despite her English level being low, because something important happened to her in this group: she felt accepted. Networking with people was for her a very positive experience: particularly, networking with people with a common purpose and with similar interests, speaking in several languages, and working for a degree.

She mentioned the fact that she has been living with 3 roommates for quite a while, and although they are nice she did not have the same relationship that she has established with students in the course. So the course was a break she did not expect.

Another interesting aspect of this interview is her perception about language. She says her level of English has regressed while here because she speaks mostly in Italian, and has forgotten English almost completely. The fact of learning law in English and her participation in class, where she was made to feel at ease, has really helped her to gain confidence and to try to express herself in English.

In the mock trial she had the role of the defendant. In this role, she had to do quite a bit of talking, to defend her position, and to make sure that what she said was conducive to a positive outcome for her team.

So it has been interesting interviewing this student. She says she feels she knows the subject matter they are working on in class well, she prepares as best as she can at home and she would like to participate more in class but being shy does not help. They told me the words do not come out as fast as they should. Unfortunately, there's always somebody else giving an answer before she does.

APPENDIX 15

Memos (1)

On observation work

Date: 30.8.09.

I just finished another observation transcript and wrote up my reflections at the end in my comments section. The work on observations is maturing. I have so far found the following:

1. Observations and interviews are important data gathering tools. They enable the researcher to understand the dynamics of classroom engagement, of how students experience education and how they view teachers, courses, materials, other colleagues.
2. All of this is viewed from the eyes of the observer. It is a privilege to be able to be in a classroom and for this reason I tried to be as discrete as possible.
3. Methods of teaching vary considerably. The Course 2 lessons are substantive and scholar-academic in nature. Students participate and the lessons give a lot of space for them to act. But the main actor, the professor, is not an encouraging figure sometimes, or at least until they get used to [Course 2 senior teacher] and his style. [Course 2 senior teacher] is well versed in this subject and everyone retains he has a great amount of experience behind each point made and explanation given.
4. [Course 2 junior teacher] is an important figure in this course. She asks the right questions, is very well versed in the substantive aspects of private law. She puts students on the spot and it is sometimes the case that they grapple to answer coherently when asked questions at the end of the lesson by her.
5. I expected more student engagement in this class. However, from interviews, I noticed there is a lot of enthusiasm and expectations are high especially from the southern European group. Not so from some of the international students.

APPENDIX 15

Memos (2)

On thick descriptions

Date: 14.2.14.

Miles and Huberman (1994: 241-242) suggest being very clear about the level of the data you want to enter. They ask:

Will you be entering relatively ‘thick’ descriptions (Denzin, 1989; Geertz, 1973) that render the context well, show intentions and meanings, and show how things developed over time? Will you include direct quotes, close-up detail? Will you make a short summary or paraphrase? Will you make more general summary judgments or global ratings?

Also Lincoln and Guba (1985: 124) make this explicit:

The person who wishes to make a judgment of transferability needs information about *both* contexts to make that judgment well. Now an inquirer cannot know all the contexts to which someone may wish to transfer working hypotheses: one cannot reasonably expect him or her to indicate the range of contexts to which there might be some transferability. But it is entirely reasonable to expect an inquirer to provide sufficient information about the context in which an inquiry is carried out so that anyone else interested in transferability has a base of information appropriate to the judgment. We shall call that appropriate base of information a “thick description,” following the usage introduced by Geertz (1973).

The authors also mention that what is described in the “thick description” depends on the focus of the study, on whether the study is an evaluation, case study, policy analysis inquiry. The point made is that the description must specify everything that a reader may need to know in order to understand the findings. But Lincoln and Guba (1985) they make the point that findings are *not* part of the thick description even though they are interpreted in terms of elements, conditions, factors, domains thickly described. Now I understand better what is meant by ‘thick description’.

Summary in my own words:

Thick description provides the reader who is seeking transferability with good explanations (close to reality) of the setting of the study. The idea is to bring together participants' points of view, their intentions and meanings, and to show how things happened, how they unfolded in time. Thick description must also ground the description on the data itself (i.e., direct quotes; observations) and give a synopsis of the situations and more detailed information about events and actions in the field or setting (I think of the field as SLR3, the courses, the teacher, the students). The researcher also needs to prepare summaries (to explain the data) and paraphrase direct quotes. All of this needs to be illustrated in a general summary showing findings and conclusions.

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